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Canada Royal Commission on  
pilots

Hearings 1963  
nos 49-51











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**ROYAL COMMISSION**

**ON**

29  
**PILOTAGE**

**HEARINGS**

HELD AT

**QUEBEC CITY  
QUEBEC**

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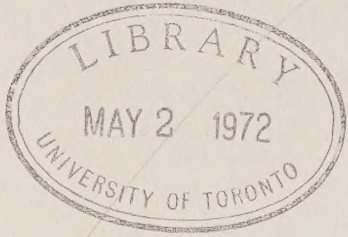
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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearings  
held at the Court House,  
Quebec City, Quebec, on the  
22nd day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	- Chairman
Robert K. Smith, Esq., Q.C.	- Member
Harold A. Renwick, Esq.	- Member
Gilbert Nadeau, Esq.	- Secretary
Maurice Jacques, Esq.	- Commission Counsel

APPEARANCES:

Leopold Langlois, Esq., Q.C.	for the Canadian Merchant Service Guild
J. Brisset, Esq.	for the Shipping Federation of Canada
Marc Lalonde, Esq.	for the Federation of St. Lawrence River Pilots; Cor- poration of the Mid- St. Lawrence Pilots; the Corporation of Montreal Harbour Pilots; the Corpora- tion of St. Lawrence River and Seaway Pilots; the Corpora- tion of the Upper St. Lawrence Pilots
J. Mahoney, Esq.	for the Dominion Marine Association
R. Macgillivray, Esq.	for the Department of Transport.

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ND

1

THE CHAIRMAN: Gentlemen, the events

French 2

2

which occurred over the weekend have made the joy disappear

3

which I had to come and sit here in Quebec with my

4

colleagues. The Commission has been distressed by such

5

a tragedy which has cost the life of one of the pilots

6

of the St. Lawrence.

7

In my personal name and in the name of my

8

colleagues, I would ask the family of Captain

9

Lachance to accept our sympathies and also the colleagues

10

of the pilot to accept our sympathies. We sympathize

11

with them in this great tragedy.

12

Now one word for those who appear before the

13

Commission for the first time. We are a Royal Commission

14

appointed by the Government of Canada to conduct an

15

inquiry on pilotage throughout Canada. That is to say to

16

try to find out the nature of pilotage, to try to define

17

what is Pilotage throughout Canada. This Commission has

18

become necessary, apparently, because Pilotage is different

19

at different places, due to local necessities and also

20

it has grown according to the local needs and we find

21

just as many kinds of pilotage as we have places which

22

we have visited.

23

Pilotage on the Pacific Coast is entirely

24

different to pilotage on Fundy Bay. It is different to

25

what it is in St. John's, Newfoundland and quite different

26

from what it is on the St. Lawrence River and in the

27

various channels.

28

We are not, and I must underline this, a

29

creation of the Transport Department. We are appointed

30

by the Governor-in-Council, by the Government of Canada.







1 We are independent from any branch of the Department of  
2 the Federal Government.

3 We have an inquiry to conduct and our report  
4 must be presented to the Governor-in-Council. The inquiry  
5 is the Commission's Inquiry and before us there are no  
6 parties. There are no adverse parties. Anybody who appears  
7 before the Commission is the witness of the Commission  
8 and there are people who will come and help us find out  
9 what is pilotage locally. What is its nature. What are  
10 the problems. What is the organization, and so forth.  
11 We come to see you and we need your help because by  
12 ourselves there is not much which we can know of the facts.

13 We must know the facts from the people who  
14 live those facts and its the users, the pilots, they  
15 are the people who know these facts.

16 It is all right to read books or reports and  
17 try to find out what takes place, but it is nothing like  
18 the experience of the people who live in this kind of  
19 condition to tell us exactly what it is and how it works.  
20 So, consequently, there is no party here. Everyone is  
21 here to collaborate with us and everyone is here to help  
22 us to try to find out what it is.

23 We have held hearings throughout the entire  
24 Canada up to now, and except from Churchill, which is quite  
25 far from here, All we have to do is to conduct our  
26 inquiry now on the St. Lawrence River and the Great Lakes.

27 We started sitting in Ottawa last February,  
28 and we have held hearings in the Maritimes from Charlotte-  
29 town and Saint John. After that we moved to the Pacific  
30 Coast from Prince Rupert to Victoria. We went afterwards





1 to Newfoundland. We went all around St. John's, Lewisporte,  
2 and so forth. We went afterwards to the Gulf of the St.  
3 Lawrence River. We visited Cornerbrook. We also stopped  
4 at Gaspe because we wanted to learn about this. We are  
5 concerned not only with organized pilotage, but we are  
6 concerned with the problems of pilotage. This is within  
7 the limits of our terms of reference.

8 We went to Seven Islands. We also sat in Halifax  
9 and North Sydney and as you know, about a month ago we  
10 started hearings in Montreal and we had to adjourn after  
11 three weeks and we are going to have more hearings, if  
12 possible, in September.

13 Now this is what we have done up to now and as you  
14 can see we still have quite a bit of work to do because  
15 after the Inquiry, when the collection of information is  
16 finished, we have to study all this documentation and the  
17 preparation of our report.

18 The way we proceed is the same as traditional  
19 procedure. We have to find the facts. Just like in court  
20 when we hold Civil or Criminal Court the Judge, in order  
21 to render a judgment, must base himself on the facts  
22 which must be as real as possible because each witness  
23 reports the facts the way he saw them, or the way he thinks  
24 that he saw them and this is why one witness might be  
25 sufficient but it is not the best and that is why several  
26 witnesses come and report the same thing then we are more  
27 sure that those facts are exact.

28 We also have examination and cross-examination.  
29 One witness can give us possibly part of the facts,  
30 thinking that this was the only interesting thing, the only







1 thing which we want to know, and another person must  
2 have seen the same thing on another line and through  
3 cross-examination we can get all the nuances and facts  
4 and different angles. Through cross-examination we have  
5 a chance to see the facts exactly as they are.

6 This might take time. This might be boring at  
7 times but when you look back after several week's  
8 inquiry, you can see this is the only way to go about it  
9 and there are centuries of experience back of such a  
10 method. Otherwise, the only thing we have is half truths  
11 with opinion, and opinions which are, most of the time,  
12 based on partially exact knowledge of the facts.

13 We will now proceed with our inquiry on the  
14 part of pilots from Quebec and down stream including  
15 Saguenay as far as Chicoutimi and you know we will sit  
16 two days in Chicoutimi next week, Monday and Tuesday  
17 but we know that Chicoutimi is part of the Pilotage Down-  
18 stream District of Quebec. The upper part up to Kingston  
19 is in the jurisdiction of Montreal.

20 Although of course, those who would have any-  
21 thing to say about any other part of Canada, I can men-  
22 tion this here, just the same and we will try to deal  
23 with the geographical places. Mr. Lalonde?

24 MR. LALONDE: In the name of my clients,  
25 the St. Lawrence River Pilots and particularly the pilots  
26 of Lower St. Lawrence, I want to express the thanks of  
27 all these pilots for the words of sympathy which you have  
28 mentioned in the name of the Commission and in your personal  
29 name on the tragedy which took place during the weekend.

30 The Federation of St. Lawrence Pilots and the







1 Member Associations want also to join in the sentiments  
2 of sympathy which have been expressed by the Commission  
3 to the family of the pilot who has disappeared.

4 We all deplore this disappearance. Captain  
5 Lachance, who was a pilot since 1916, had been very  
6 active as a pilot and had brought great contribution to  
7 the captains of ships from all parts of the world and was  
8 a pilot who had the consideration of his colleagues and  
9 all those who knew him.

10 Captain Lachance who was coming from a  
11 family who has since nine generations given many of its  
12 members to the pilotage service, and this family now  
13 has one member who died during the conduct of his pro-  
14 fessional function.

15 The Commission has already heard several  
16 testimonies concerning the technical developments in the  
17 field of navigation and also the effort made by public  
18 authorities in order to make the St. Lawrence Seaway and  
19 the St. Lawrence River in general a river which will  
20 be safe as far as navigation is concerned for all vessels  
21 but tragedies like the one which took place during the  
22 weekend show clearly that the technical improvements  
23 which took place during the past years are not sufficient  
24 enough to compensate for the difficulties which we find  
25 in the St. Lawrence River.

26 Once more we join the Commission to express  
27 our sympathy to the family of Captain Lachance.

28 MR. LANGLOIS: Your lordship, members  
29 of the Commission, in my personal name as well as in the  
30 name of the Canadian Merchant Service Guild Incorporated





1 I want to join my learned friend, Mr. Lalonde, to thank  
2 your lordship for having expressed the sympathy for the  
3 tragedy which took place during the weekend and the loss  
4 which has been suffered by the pilots and by the family  
5 of Captain Lachance to whom have been offered the sympathy  
6 of the Commission.

7 As my colleague has underlined, this tragedy  
8 reminds us that despite the scientific improvements which  
9 might have taken place, security at sea is not entirely  
10 sure and despite the new inventions and developments, there  
11 is always some element which has quite an important role  
12 to play in the safety of navigation.

13 In the names of the pilots which I represent,  
14 in the name of the Canadian Merchant Service Guild, I  
15 want to offer all my sympathies to the Pilot's Association  
16 and to the family of Mr. Lachance.

17 MR. BRISSET: Your lordship, members  
18 of the Commission, in the name of the shipowners I would  
19 like to join with the message of sympathy which my learned  
20 friends of the Commission have offered to the family of  
21 Captain Lachance and to his colleagues.

22 MR. MAHONEY: I would like to join with  
23 my learned friends in the expression of sympathy.

24 THE CHAIRMAN: I would just like to add  
25 one word for those who do not know exactly the nature of  
26 our inquiry. It is a coincidence that we are sitting here  
27 to-day after this tragedy. We are not here to conduct  
28 an inquiry on the disaster which took place during the week-  
29 end. Our Commission is here, we are set up for to-day  
30 six weeks ago. It is possible that during the hearing







1 which will take place here this week, or the following  
2 hearings, it is possible that we might discuss the cir-  
3 cumstances of such disasters, but we will not try to take  
4 the place of the Inquiry Tribunals which are being set  
5 up to conduct the inquiry in those cases.

6 If necessary, we will try to prevent any com-  
7 plaints, or any evidence being put before the Commission  
8 about those disasters while the Federal Government is  
9 conducting an inquiry on this.

10 MR. JACQUES: If it please the Commission, I  
11 would in the name of Captain Maurice Koenig, who I think  
12 is absent to-day, I would like to file a brief which he  
13 has prepared on the condition of pilotage on the Lower  
14 St. Lawrence.

15 This is a brief presented by Captain Maurice  
16 Koenig, and will be filed as No. 571. This is the exhibit  
17 number and it will have a special number as a brief, which  
18 will be given later on. The Secretary has received 20  
19 copies of this brief, 15 in English and 5 in French.

20

21 ---EXHIBIT NO. 571: Brief of Captain Maurice Koenig.

22

23 MR. LALONDE: Do I understand your lordship  
24 that Pilot Koenig will be called in as a witness?

25 THE CHAIRMAN: Like any other party who wants  
26 to file anything, if this brief is based on facts, and  
27 if the facts are not proven during the hearing, he will  
28 have to prove them. If these facts are evident from the  
29 hearing, they will only be recommendations. According to  
30 the procedure we have established, in order for us to be







1 able to take knowledge of recommendations, the facts have  
2 to be proven.

3 MR. JACQUES: Captain Koenig will be at the  
4 disposal of anyone who wants to ask questions about his  
5 brief your lordship.

6 MR. LALONDE: I will certainly ask to question  
7 Captain Koenig as soon as I have studied the brief your  
8 lordship.

9 THE CHAIRMAN: In other words, any person who  
10 wants to inform the Commission of certain facts which have  
11 not been established or, which according to him have  
12 not been established before the Commission exactly as they  
13 are, it is the duty, to a certain extent, towards the  
14 pilots and Maritime Trade to come and draw our attention  
15 to these facts, and this is a service which is rendered  
16 to us by giving us this information.

17 This is not a closed court. Anybody from the  
18 public who has anything to say on the question of the facts  
19 which have to be proven is always welcome before us  
20 whether we are sitting in Toronto, Montreal, Newfoundland  
21 or Chicoutimi.

22 MR. LALONDE: Your lordship, if I may be  
23 permitted, I suppose that the legal counsel of the  
24 Commission has read this brief already and will be able  
25 to tell us if this is argumentation or facts which are  
26 being mentioned, facts which are being claimed in this  
27 brief.

28 I would think before producing this brief  
29 before the Commission the legal counsel of the Commission  
30 should tell us, at the same time, that Captain Koenig has





1 received these subpoena to appear before the Commission.

2 THE CHAIRMAN: He must be called by the  
3 Commission who will then solve the problem. If there are  
4 facts which are mentioned in this brief, he will then come  
5 before the Commission.

6 MR. LALONDE: Thank you your lordship.

7 MR. JACQUES: I just want to assure my friend  
8 that I have read this brief on Friday afternoon and this  
9 is the kind of presentation that I have been made aware  
10 of before as a draft but very briefly.

11

12 FRANCIS PERCIVAL GINGRAS, sworn

English 13 DIRECT EXAMINATION BY MR. JACQUES:

14

15 Q. Would you sit down please and speak into  
16 the microphone? Louder please? Would you state your full  
17 name and age please?

18 A. Francis Percival Gingras.

19 Q. And your age?

20 A. 55.

21 Q. And your occupation?

22 A. I am Regional Controller of Telecommunicati  
23 and Electronics, Department of Transport.

24 Q. How long have you been in that position?

25 A. Just a little over three years.

26 Q. Sir I believe I requested you, through  
27 your Senior Officers in Ottawa, to search the logs of  
28 various radio stations in order to ascertain whether any  
29 of the buoys of Cap Sante' Traverse were reported out  
30 of position since the beginning of the navigation season







1 May 16, 1963.

2 A. I understand from April 1st.

3 Q. April 1st?

4 A. Yes. Yes sir, you did.

5 Q. Have you searched your logs?

6 A. I have examined a true copy of the logs  
7 for Montreal, Three Rivers and Quebec Marine Stations which  
8 lists the events during May 16, 1963 and could find no  
9 evidence of the message having been received from any  
10 vessel on the St. Lawrence River reporting three buoys  
11 in the St. Sante' Traverse River out of position.

12 Q. Please continue.

13 A. A further perusal of the logs which are  
14 kept by these particular stations contain the following  
15 information concerning messages received reporting buoys  
16 out of position during the period April 1st to May 16th,  
17 1963: Montreal Marine Radio Station reports a message  
18 received April 16th "C.F.M.V.I. River Transport D.H.R.D.O.  
19 162319 G.M.T.

20 Q. Would you explain what all these letters  
21 mean please?

22 A. Yes, River Transport is the boat, the  
23 vessel.

24 Q. And what do the initials C.F.M.V. mean?

25 A. Those are call letters.

26 Q. Of what?

27 A. For radio language. This is call letters.

28 Q. This is call letters of what? Of the  
29 radio station or the ship?

30 A. I would have to get the book giving the





1 number of call letters to tell you on this. Each ship  
2 is licenced with a certain call. I can't tell you off  
3 hand.

4 Q. And C.F.M.V. means what?

5 A. It is a designation given by the ship  
6 to identify itself.

7 Q. And the next entry is River Transport,  
8 that is the name of the ship?

9 A. That is the name of the ship.

10 Q. And the following letters D.H.?

11 A. I am not familiar with D.H.R.D.O. Next  
12 is the time and the date, 16 twenty-three nineteen and  
13 then D.M.A. Sorel. It is addressed to the Department  
14 Marine Agent Sorel and the body of the message says  
15 "Reporting buoy 89M 1200 feet off chartered position."  
16 and twenty-three nineteen is the time and J.W. is the initial  
17 of our operator who received this message and R.3 is  
18 the number of the messages.

19 Q. And the time, twenty-three nineteen  
20 is the time of what?

21 A. It is G.M.T. time, which should have  
22 been G.M.T. We keep all our time in Greenwich meantime.

23 Q. Is it the time that the message was  
24 received?

25 A. Yes. Here are the initials of our  
26 operator who received the message. Called it message R.3.

27 Q. Was that message forwarded to the  
28 marine agent?

29 A. It was forwarded to D.M.A. Sorel,  
30 via circuit 999 as No. 1 on the 16th at twenty-three twenty







1 eight G.M.T. and acknowledged, our records indicate.

2 We have the proof that this was received and acknowledged.

3 Q. And the message would have been sent  
4 to your station by radio-telephone or by W.T.?

5 A. I would say radio-telephone.

6 Q. And the message was forwarded by tele-  
7 type to D.M.A. Sorel?

8 A. That is correct. There is a circuit  
9 for this purpose.

10 Q. This message is No. 1?

11 A. No. 1.

12 Q. And what is that message No. 1? Was  
13 that the first message of the season?'

14 A. Of that day I would say.

15 Q. Now what other information have you  
16 been able to obtain as regards messages concerning buoys  
17 out of position?

18 A. The Three Rivers Log shows the following:  
19 on May 14th, 1963 "From the Canadian Coastguards ves-  
20 sel Frontenac Buoy 89Q 150 feet in the channel and 50  
21 feet below its position received at 1957 G.M.T., M.L.R.T.  
22 2 radio telephone.

23 -----

24

25

26

27

28

29

30





1 A. Initials of the operator.

2 Q. And the R.T. being?

3 A. Radio transmission 2.

4 Q. Was this message forwarded by the Three  
5 Rivers Radio Station?

6 A. Yes, I have another one and I ended up by  
7 saying both of the above stations.

8 Q. Would you let us have the second message  
9 to which you refer?

10 A. No. 28 from the Brakeholm.

11 Q. Would you spell the name of the ship?

12 A. B-r-a-k-e-h-o-l-m. I reported buoy 42A in  
13 the channel as being dangerous for navigation, received  
14 1642 G.M.T. by K.R./R.T.2.

15 Q. Yes.

16 A. Both of the above messages were forwarded  
17 on D.M.A. circuit and signal circuit Montreal on 699.

18 Q. Why were these two messages sent to the  
19 Signal Service in Montreal while the first one reported  
20 wasn't sent to the Signal Service in Montreal but merely  
21 to the D.M.A. circuit?

22 A. I can't answer that question.

23 Q. Did you find any other messages concerning  
24 aids to navigation?

25 A. Yes, Quebec Marine Station reports April  
26 5 at 1322 G.M.T., Captain Rocca reported small conical  
27 buoy adrift one mile from the St. Augustin Bar.

28 Q. Yes.

29 A. April 21st at 1744 G.M.T. the Hudson  
30 Transport reported the St. Lawrence Beauport Buoy







1 seems quite a bit south of its normal position. On May  
2 4th at 0516 G.M.T. the John E. Misener reported E.T.A.,  
3 0145 local time and said buoy 87 was one half a mile south-  
4 east of its position.

5 Q. Yes. Were these messages which you have  
6 just quoted the only ones which were transmitted  
7 through the Montreal, Three Rivers and Quebec Stations  
8 concerning buoys and aids to navigation from April 1st,  
9 1963 to May 16, 1963?

10 A. Insofar as reporting buoys out of position  
11 is concerned?

12 Q. Yes?

13 A. That is right.

14 Q. The only messages of which you have record?

15 A. This is correct.

16 Q. Is it possible for messages to be received  
17 by your stations and not be recorded?

18 A. Most unlikely because we keep a running  
19 log of everything, most unlikely.

20 MR. JACQUES: Before we turn to the log  
21 I should like to file the statement of Mr. Gingras as  
22 Exhibit 572.

23

24 ---EXHIBIT NO. 572: Statement of messages concerning  
25 aids to navigation April 1st to May 16th.

26 MR. JACQUES: You said you maintained a  
27 log, would you briefly describe that log?

28 A. Yes, it is a copy of the typewriter, the  
29 operator has a typewriter with him all the time with  
30 the logpaper in it, special paper for this purpose. As





1 messages come in and as he sends messages out he marks  
2 it down copying the time.

3 Q. What notes is he supposed to make of these  
4 messages?

5 A. He is supposed to carry out the per  
6 datum write up of what has transpired. In other words  
7 if he receives a message from a boat he notes the time,  
8 the name of the boat, the body of the message, closing  
9 off time and his initials. This has to go to the signal  
10 service, the Signal Service in Montreal issues a notice  
11 of the vessels, so when we receive, when any  
12 station receives one of these messages from a vessel  
13 reporting something unusual, or even something usual  
14 it has to be sent to Montreal. There is an office there  
15 and they make up messages which they send back to our  
16 stations for transmission at regular periods.

17 Q. Yes. We have interviewed the Chief Signal  
18 Clerk in Montreal and he has explained how the service  
19 works, but as regards these messages when they are sent  
20 by W.T. they are sent Morse Code, are they not?

21 A. Yes.

22 Q. They are, and there is a written text,  
23 is that it?

24 A. Yes, yes.

25 Q. Would your operator write down exactly  
26 the message which he receives in his log?

27 A. It is copied down as it is received.

28 Q. It is copied down as it is received?

29 A. He is receiving that with his headset and  
30 typing it simultaneously.







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TORONTO, ONTARIO

Gingras, dir.ex.  
(Jacques)

5722

1 Q. On his log?

2 A. Yes.

3 Q. He receives radio -- before we move on to  
4 that you explained you received messages on W.T. and  
5 also by radio-telephone; is that correct?

6 A. That is correct.

7 Q. Now will you explain the setup of these  
8 stations where you receive both types of messages?

9 A. Normally read back to the sender for  
10 confirmation.

11 Q. By your operator?

12 A. Yes.

13 Q. And in a station like Quebec how many  
14 operators would you have on duty?

15 A. The station at Quebec -- well during the  
16 quiet season when there are no tourists we would have  
17 a minimum of one operator for marine.

18 Q. For marine?

19 A. When the season is busy we would have as  
20 many as 3.

21 Q. When would you consider that the busy  
22 season starts?

23 A. Well, in June.

24 Q. In June.

25 A. When the tourist season starts.

26 Q. What has the tourist season to do with  
27 the marine radio?

28 A. We provide telegraph services, ship-to-  
29 shore, from the passenger -- he can be down at Fox  
30 River and talk to his home in Vancouver if he wishes.





1 We provide a link between the Bell Telephone Company and  
2 the passenger's state room -- not his state room, but  
3 the boat, a link between the vessel and the shore.

4 Q. And the shore, I see. During the tourist season  
5 you have three operators and during the rest of the season  
6 you have one operator?

7 A. This varies. Where extra men might be  
8 needed -- we staff positions as required, as demanded by  
9 the traffic.

10 Q. What about if you have a sudden boom of  
11 traffic during the middle of the night?

12 A. Well, they just have to handle it the  
13 best they can.

14 Q. As best they can. What would happen to the  
15 messages then?

16 A. We have two operators. This means normally  
17 that they wouldn't hear a call -- certainly if it is  
18 emergency call they would hear it. If it is a May day  
19 call. I must tell you this. While we are receiving,  
20 giving telephone service to a passenger on board that  
21 operator has to listen to every word so that he can  
22 adjust the signal levels. Then there is another operator  
23 who is listening out for general business.

24 Q. On the radio-telephone?

25 A. Well, he is listening out for calls from  
26 vessels, distress calls and ordinary calls on say the  
27 2182 frequency.

28 Q. You would have operators handling tourist  
29 calls, personal calls?

30 A. Yes.







1 Q. Would you have an operator handling other  
2 business, strictly marine business?

3 A. Yes, we would have if the volume of  
4 traffic warranted it. We would have it.

5 Q. How many calls can one operator handle at  
6 one time?

7 A Well, if it is a telephone call he can  
8 only handle one.

9 Q. One call?

10 A. Because as I say he must listen to make  
11 sure it goes through properly.

12 Q. If someone wants to call the same operator  
13 he has to wait until the current call is finished?

14 A. Certainly, yes. Supposing there are 5  
15 passengers on the same vessel, the facilities on that  
16 vessel, they are limited, so he has to wait -- 4 have  
17 to wait.

18 Q. We are not particularly interested with  
19 the convenience of tourists on board passenger ships,  
20 but particularly with the handling of calls coming from  
21 the bridge of the ship, from the master of the ship,  
22 from the pilot to the appropriate authorities ashore.

23 Now, if a tourist is talking over the radio-telephone  
24 from one Empress Boat coming up the Gulf, would  
25 the master of the ship or the pilot be able to contact,  
26 at the same time your radio station?

27 A. This depends on the station and it depends  
28 on what the spare operator is doing at the time.

29 Q. What if he wants to report a buoy out of  
30 position?





1 A. He may have to wait 15, 20 minutes.

2 Q. He may have to wait 15, 20 minutes.

3 A. He would have to wait -- I couldn't give  
4 you a definite answer to the question because there are  
5 no two occasions when the stations are the same.

6 Q. Yes, I quite agree with that. We realize  
7 that. Is it possible that the ship wouldn't be able to  
8 contact your station at all?

9 A. Over what period of time?

10 Q. Over a period of 5 or 6 hours?

11 A. No.

12 Q. You don't think it is possible?

13 A. No sir I don't think this is impossible  
14 that they should be able to.

15 Q. You don't think it is impossible?

16 A. If he keeps on trying, but some wouldn't  
17 try.

18 Q. That is for radio-telephone. Your stations  
19 are also equipped to receive W.T. messages. How many  
20 operators would you have?

21 A. You only have one operator.

22 Q. Receiving W.T. messages?

23 A. At the W.T. position.

24 Q. How many W.T. positions would you have?

25 A. One at each station as a rule.

26 Q. One at a station?

27 A. If there are a lot of foreign ships coming  
28 in and they go to W.T., and a lot of foreign ships have  
29 to to spell out their foreign messages -- if the traffic  
30 warrants it we do our very best to make up another position,







1 you see.

2 Q. I see. Sir, you no doubt know that the  
3 navigation season in the Gulf would be between roughly  
4 say April and November?

5 A. Yes.

6 Q. During that period of time which is busiest,  
7 the radio or the W.T. set?

8 A. That is something I don't know. I am  
9 electronic engineer responsible to provide services. I  
10 don't know details of the operations. This I would refer  
11 to Mr. Wells later on when he is on. It is my job to  
12 make sure that these circuits are kept in operation and  
13 to add new circuits and we have instructions to do so.

14 Q. Whenever required?

15 A. To answer some of your questions we would  
16 have to peruse the logs of the stations. There are  
17 different working positions at several stations in my  
18 region of the traffic in Quebec.

19 Q. I see, sir. Since you are an engineer  
20 perhaps you would be able to answer this question. On  
21 the W.T. setup the operator listens to Morse Code which  
22 is sent over the air; is that correct?

23 A. Yes.

24 Q. Is he prevented from hearing other messages  
25 or any ship calling his station?

26 A. To the best of my knowledge he is not  
27 prevented from doing this because we have different channels  
28 you see, and there is also another man on the side of  
29 him with a radio.

30 Q. What does that other man do?





1 A. He may be listening, listen out, and he  
2 would just try his best. These men have got experience  
3 and they will do something and they will hear it, hear  
4 someone else's call. That is their work.

5 Q. You mentioned there were two men, two  
6 men at the same W.T. position?

7 A. No, not exactly, but all the operators  
8 are in one long line with a small desk in front of them,  
9 you see. As I say I don't know the fine details of  
10 the operations. It is my job to oversee it all and I  
11 don't know all the very, very fine details.

12 Q. Are you able to explain to the Commission  
13 the disappearance of the button on the teletype system  
14 998 and 999? Apparently there used to be a button which  
15 Montreal could press and stop all traffic, pass its  
16 own messages. Apparently this button has been removed?  
17 in Montreal controlling the teletype service and  
18 can no longer stop traffic. Would you have any knowledge  
19 of that?

20 Q. When you say Montreal, what station?

21 A. Signal Service Station in the Montreal  
22 Pilotage Office.

23 A. I am not familiar with the electronical  
24 details of this at all. In the provision of circuits  
25 it is done by the telecommunications branch. They issue  
26 orders and we get a copy of the orders.

27 Q. You have no knowledge of that?

28 A. I have no knowledge of that.

29 Q. Thank you, sir.

30 MR. LALONDE: May I ask the Commission







1 whether there will be other witnesses on the same line,  
2 telecommunications?

3 THE CHAIRMAN: Mr. Jacques, will there  
4 be any other witnesses on the same line, telecommunications?

5 MR. LALONDE: I am informed, my lord, there  
6 will be another witness, Mr. Wells.

7  
8 CROSS-EXAMINATION BY MR. LALONDE:

9 Q. Mr. Gingras, I understand that you have  
10 three operators during what you call the tourist season,  
11 roughly from June, but I didn't hear until when?

12 A. I don't have three operators at all  
13 services in my region which include Mont Joli, Fox River,  
14 Quebec, Montreal, Three Rivers. Montreal is a large  
15 station. We have three operators at times. When we don't  
16 need them the officer in charge takes them off.

17 Q. I see. Would you tell me which other  
18 stations have three men on duty during certain times of  
19 the year?

20 A. I can't answer the question.

21 Q. That is Mr. Wells again?

22 A. That is right and he would have to contact  
23 our operations engineer.

24 Q. Would you ask Mr. Wells if he would get  
25 that information, please?

26 A. Yes.

27 Q. There again you wouldn't be in a position  
28 to state when you have three men on duty during the year  
29 at certain places?

30 A. The only rule we go by is when the traffic





1 starts to drop off we would take one man off and two men  
2 would carry on.

3 Q. You wouldn't be in a position to state  
4 the approximate times for last year, for instance?

5 A. No, we would have to ask the men on  
6 these stations.

7 Q. Could that information be obtained?

8 A. That could be in a day or so.

9 Q. I would be pleased if you would get it?

10 A. We would have to send messages to obtain  
11 the information.

12 Q. Do you have this staff of men on duty  
13 day and night during this season?

14 A. No, they are on -- normally there would  
15 be few, if any, as you well realize, few if any  
16 telephone calls from passengers on the boats from midnight  
17 till eight o'clock in the morning and therefore there is  
18 no necessity to have a full complement of operators.

19 Q. I understand you handle marine traffic.  
20 You also handle some air traffic?

21 A. Our stations are combined. The marine  
22 station insofar as it is possible 100 per cent -- not  
23 quite 100 per cent, the marine station does marine  
24 work. When I say the station, it is in the same building,  
25 but it has a different operating position.

26 Q. They have different men operating the  
27 air service or is it the same operator?

28 A. Some stations a different man, but in  
29 very small stations where business is slack one man  
30 can do everything.







1 Q. Would they do both?

2 A. They are trained for both in our school  
3 at Ottawa.

4 Q. Would you know in which station you would  
5 have the same man dealing with air and marine service?

6 A. I wouldn't be too positive. I could just  
7 venture an educated guess at the moment so I would prefer  
8 to abstain from answering the question.

9 Q. Would you kindly have this checked too and  
10 maybe ask Mr. Wells to come with this information? You  
11 have to handle maritime traffic. That includes what,  
12 exactly?

13 A. We take paid messages from the captain of  
14 vessels to his agent or his company in Montreal or  
15 Quebec and we pass it to the C.N.R. or C.P.R. so then  
16 we charge that company operating in Montreal. We send  
17 them a bill. That is what we term roughly paid messages.

18 Q. Yes?

19 A. Then we provide vessels coming to our  
20 Canadian waters on the Gulf -- as you know pilots are  
21 supposed to go aboard the vessel several hours in advance.  
22 They should notify the pilots at Les Escoumains. They  
23 have it at their disposal, when they are expected to  
24 arrive at a certain time.

25 Q. You receive the E.T.A. from the vessel?

26 A. That is right. That is a free service  
27 we provide.

28 Q. Then, what type of other service do you  
29 provide your ship?

30 A. Well, what you might call business traffic  
and paid traffic. We have standard broadcasts at





1 different times and if there are obstructions to naviga-  
2 tion we have received instructions to broadcast these.  
3 This information we get from the Signal Service.

4 Q. I suppose the two-way traffic, you receive  
5 a lot of messages from ships and also send a fair amount  
6 of messages to ships either through the Signal Service,  
7 through the Signal Service or through the ship's agents,  
8 for instance?

9 A. Yes, we handle those.

10 Q. You also handle quarantine messages?

11 A. Yes. This is free, quarantine messages,  
12 and certain -- not all quarantine. Where things are  
13 under certain regulations it is a free service.

14 Q. You are doing this -- would this cover  
15 a substantial amount of various duties which you are  
16 called upon to perform or are there some other important  
17 aspects which you have left out of your duties?

18 A. I can't think of anything very important  
19 at the moment.

20 Q. In Montreal we had some evidence as  
21 to what portion of time which was given to maritime duties  
22 and other commercial services. Would you have that  
23 information?

24 A. No, I don't, sir.

25 Q. You are handling all this through radio-  
26 telephone, is that the case, and wireless telegraphy?

27 A. Yes.

28 Q. What is a duplex call?

29 A. That is these telephone calls I am  
30 referring to between the passenger on a pleasure boat or







1 a passenger, a non-business call, let us put it that  
2 way between someone aboard the Seconia and a friend  
3 in Vancouver or in Edmonton, or his wife, telephone calls  
4 from ship to shore.

5 Q. You also have a telephone call from ship-  
6 to-ship which would go through your service or messages  
7 from ship to ship?

8 A. No, no, because there are one or more  
9 frequencies set up for ship-to-ship communication.

10 Q. Now, I understand in most instances apart  
11 from the specific cases where you have mentioned, where  
12 you provide additional personnel during the tourist  
13 season you have only one operator at the stations, is  
14 that the case?

15 A. This I would have to check, but I believe  
16 we have one operator on duty except when some unforeseen  
17 event occurs and the traffic goes up and it takes us  
18 two to keep in communication.

19 Q. Where is Fox River?

20 A. Up Gaspé Bay, right on the Eastern tip of  
21 Gaspé Bay River.

22 Q. And the station along the St. Lawrence,  
23 do you also only have one operator on duty at the same  
24 time?

25 A. You are speaking of what periods of the  
26 year?

27 Q. Apart from the case where you have three  
28 men you mentioned in Montreal and you might have during  
29 the tourist season, but apart from these specific  
30 instances you have only one operator on duty at the same





1 time, is that the case?

2 A. I would decline to answer because I am  
3 not certain. I would have to get that from the stations  
4 for last year.

5 Q. Would Mr. Wells be in a position to give  
6 evidence for that?

7 A. He would ask me to contact my stations  
8 and we would get this information.

9 Q. Would you once again have this checked  
10 for Mr. Wells when he comes in the box?

11 A. This would take us a day or so because  
12 we have five or six stations, and you want data on all  
13 these stations?

14 Q. I would appreciate it.

15 A. This would take a little time.

16 Q. Do you have knowledge of complaints  
17 from ship masters or pilots, verbal or oral complaints  
18 to the effect that they had to call for as long as one  
19 hour before they would get through to the radio station in  
20 foggy weather?

21 A. I haven't heard verbally. I haven't  
22 heard any verbal reports from any -- I have heard from  
23 captains or pilots. I have heard of some dissatisfaction  
24 perhaps with the service. Three years ago we carried  
25 out quite an investigation of the marine service. The  
26 Section allowed us to use one of their icebreakers and  
27 commencing at Montreal we put an engineer aboard with  
28 measuring apparatus to measure the field strength of our  
29 transmissions. We went from Montreal right through out into  
30 the Gulf and measured the strength of our different transmit







1 the other hand we are only obligated to receive signals  
2 of certain strength, so the answer to your question would  
3 be quite complicated.

4 Q. I think the answer you have given deals  
5 with strength?

6 A. Field strength.

7 Q. Field strength of your signals, but that  
8 wouldn't give any evidence as to whether or not the  
9 lines would be busy, and, for instance, in certain  
10 instances the operator couldn't answer because he was  
11 busy with other messages over the wireless or the radio-  
12 telephone or otherwise transmitting messages, for in-  
13 stance, to the Signal Service or to the ships agents  
14 or some other people. That wouldn't give any evidence  
15 as to that?

16 A. This would just give evidence as to  
17 how technically sound the system is.

18 Q. If you have only one man on the station  
19 and if he is busy for good reason providing service to  
20 other persons, even though you have a lot of field  
21 strength you wouldn't get through to him?

22 A. The field strength is the thing that gets  
23 you through.

24 Q. If he is busy dealing with another person  
25 he wouldn't be able to deal with two messages coming  
26 at the same time?

27 A. He would be able to tell the second to  
28 stand by. He would hear them on the radio phone. He  
29 would interrupt his conversation and say stand by.

30 Q. Have you ever been on the radio station





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1 watching the operations as they go on?

2 A. Only for short periods of time when I  
3 make my occasional visits.

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English

1 Q. If you have 4, 5, 6 or 10 messages coming  
2 from Montreal to tell all these people to standby, would  
3 that be the case?

4 A. One man can only handle one thing at a  
5 time. The answer to that question, if this ever happens,  
6 yes.

7 Q. Have you ever heard that the operators  
8 in order to provide service to the other persons with whom  
9 they are in contact at the time would turn down the  
10 various keys in order to be able to communicate properly  
11 with the other persons so that they would not be in a  
12 position of hearing clearly what is coming on?

13 A. No. Our setup is we have several channels  
14 on which all these calls can come in and this is the  
15 purpose of this receiving apparatus, to prevent what you  
16 are so concerned about, that calls would be missed, you  
17 see.

18 Q. You mentioned you had a special system  
19 in the case of emergency. There was a message I think you  
20 said which was given immediately?

21 A. Yes sir. If you were the master of a vessel  
22 and you had run aground, or another emergency, fire aboard  
23 your vessel or something, you would ask your sparks, your  
24 operator to send an emergency broadcast. He would nat-  
25 urally get the phone, because this is the fastest, wouldn't  
26 he? He would say "Mayday" "Mayday" "Mayday" and anybody else,  
27 all the others listening must not interfere. They withhold  
28 their radio in order to give him preference. That is  
29 an international agreement.

30 Q. I have heard this is kind of a post factum





1 service, in the sense that the incident would have occurred  
2 by then or would be certainly very very immediate.

3 A. If I were the captain of a vessel and I am  
4 on a rock, I would run to the transmitting room, tell him --  
5 maybe grab the microphone myself. I would yell "Mayday"  
6 "Mayday" and if everybody else were within hearing anywhere,  
7 I would have that circuit.

8 Q. This is used only in emergency after  
9 really the accident or incident has occurred?

10 A. Yes.

11 Q. You just can't use that type of call --

12 A. Not supposed to. It's against -- you could  
13 run into trouble if you falsified the report and used  
14 "Mayday."

15 Q. I am interested in a recent incident,  
16 and you might take note of it and mention this point to  
17 Mr. Wells so that he might inquire in that respect. I  
18 am informed that during the course of last week with the  
19 Carl Julius -- an unlucky ship my lord, we have heard  
20 of that ship before -- lost her anchor somewhere between  
21 Three Rivers and Quebec, I understand, and it was near  
22 Batiscau?

23 A. Yes.

24 Q. And that the pilot on board tried to send  
25 a message to Three Rivers and could not get communication  
26 and finally managed to get it through Quebec and that  
27 nobody heard of this particular incident and no  
28 notice was given to the inquirer whether this particular  
29 message was received by your office and whether it was  
30 transmitted to the signal service.







1 A. If you give me the day and the time sir I  
2 can do that. I must have those two things and then the log  
3 will show the rest.

4 Q. I will try and give you the day and the  
5 time.

6 A. Time and day because the log will show it  
7 irrefutably.

8 COMMISSIONER SMITH: My lord I would like  
9 to ask the witness one question. Leaving aside the question  
10 of policy altogether and dealing exclusively with the  
11 technical aspects of the question, would you have any  
12 suggestions to make to the Commission whereby the tele-  
13 communication system now in operation could be improved  
14 in the interest of the safety of navigation?

15 THE WITNESS: We are investigating this  
16 matter right now and we are on the point of putting in  
17 another receiving station at Cap St. Michel and we think  
18 this will improve matters considerably.

19 We have made another survey, radio listing  
20 survey, full strength survey between Montreal Harbour  
21 and Sorel, just completed this a few weeks ago and we are  
22 now putting in a receiving station limited to 3 channels  
23 at Cap. St. Michel and this will be tested tomorrow, I  
24 understand.

25 My engineers tell me this would be tested to-  
26 morrow. Further down the river, Riviere du Loup, we are  
27 putting in a station there. There has been a little  
28 setback due to the austerity programme. I think when we  
29 have this Riviere du Loup Marine Station, we will have  
30 a very good radio coverage of the river. Does that answer





1 your question?

2 COMMISSIONER SMITH: Yes, thank you very  
3 much.

4 THE WITNESS: We do not have any great  
5 technical data which proves that we need this, that and  
6 the other thing; just have the survey which is three years  
7 old that we made and since then we have been working on  
8 this problem and when we have the Riviere du Loup and the  
9 Cap St. Michel, we should have a very satisfactory radio  
10 communication working along the river.

11 EXAMINATION BY MR. JACQUES:

12 Q. You stated sir that you would instal a  
13 new station at Cap St. Michel and one at Riviere du Loup.  
14 That is correct?

15 A. Yes, Riviere du Loup station will be similar  
16 to the station at Quebec except be no air. Of course,  
17 be a marine station only. When I say "air" there are two  
18 things, marine and air, Montreal and Quebec station is air  
19 and marine but there are air and marine operators separated,  
20 if you know what I mean, at different desks.

21 Q. Now you said that this would bring improve-  
22 ments. That is correct?

23 Q.  
24 A. Well yes. In particular you said you would  
25 make improvements. In what respect would it be improved?  
26 To improve means there was something wrong before or not  
adequate.

27 A. I will tell you -- I didn't know we were  
28 going to get technical. I could have brought along our  
29 data.

30 MR. LANGLOIS: Can also be improvement in







1 quality.

2 A. Our survey three years ago shows we were  
3 providing our 50 microvolts per meter signal. This, is  
4 by international agreement, required us to have at any spot  
5 on the river this signal strength.

6 Q. Requiring you to provide a certain signal  
7 strength at any particular place in the St. Lawrence  
8 River?

9 A. I wouldn't go so far as to say any particular  
10 place, no, on the St. Lawrence. This takes in a lot of  
11 territory.

12 Q. Where then?

13 A. Gets out of my territory into my neighbour's  
14 territory.

15 Q. Where were you required to have this  
16 particular strength?

17 A. We covered a little bit east of Mont Joli  
18 There is no definite demarcation how far east we go. It  
19 is indefinite but very few miles, several miles, 20, 30,  
20 40, I wouldn't venture to say exactly, east of Mont Joli.  
21 We are supposed to cover right up to Montreal.

22 Q. And through these two new stations what are  
23 you trying to improve?

24 A. We are trying to, first of all, we have  
25 had some complaints from small yachts that were sitting two  
26 miles from our station and they couldn't raise us for  
27 half an hour. Something wrong there because we checked  
28 the log and the operator was not busy, definitely not  
29 busy; got the date and precise time. Was trouble then with  
30 reception by these boats, apparently, We are now putting







1 up ---

2 Q. Just a minute, did your station hear the  
3 yachts?

4 A. No, didn't hear the yacht call and said  
5 he called for half an hour. Sitting on a sand bar in  
6 Lac St. Louis a few miles from our station which is at  
7 Dorval and for half an hour -- we checked the log during  
8 that half hour. The operator had many idle moments when  
9 he was listening so we did not want to tell the gentleman  
10 there was something wrong with his transmission but we  
11 know this is the case. We are going to improve the reception  
12 from these vessels with small radio sets on them and less  
13 powered radio sets. We are going to improve it in the  
14 sense we are putting receivers -- Cap St. Michel is near  
15 Varennes, we put some receivers there and bring the voice  
16 lines right back to Dorval. We hope this will help.

17 Q. These improvements then, according to what  
18 you say, are directed towards shore craft?

19 A. Well we have got the complaints of the  
20 Organization of Yacht Owners. I have heard verbally the  
21 larger ship owners were complaining too of our reception  
22 at La Norail, so we sent our engineers up there.  
23 We are still giving the signal required at La Norail.

24 Q. Would you know whether the complaints have  
25 stopped now?

26 A. Well no, we haven't commenced to operate  
27 the little receivers at Cap St. Michel. This will be  
28 this week, we hope. We had trouble on it and it's the  
29 vessel -- you see, part of the programme now is the  
30 vessel. There are two ends and no argument can be settled.





1 These gentlemen can tell me that they have unsatisfactory  
2 service. Unless they can show the technical data to prove  
3 this, we can still turn around and say here, we are giving  
4 you this signal and we have a very fine receiving  
5 antenna. We have three or four operators so let's get  
6 together and find out where the trouble is.

7 Q. As far as you are concerned, you are sat-  
8 isfied, or more or less satisfied with the apparatus that  
9 you have?

10 A. Very finest that is made.

11 Q. And your instruments are calibrated?  
12 Your operators are competent?

13 A. Yes.

14 Q. When you receive complaints, do you recall  
15 yourself having investigated any complaints received by  
16 merchant ships, not yachts?

17 A. Mr. Wells can elaborate more on that  
18 because he came down here a few months ago and took him  
19 out on one of these boats.

20 Q. We will keep this question for him?

21 A. Yes. He has more complaints that we do.  
22 He receives -- the Department of Transport is Canada-wide.  
23 I am only concerned with the Province of Quebec.

24 While we have a lot of complaints here, perhaps  
25 in the Province, he receives them all and he comes down  
26 here and we go out. I don't go with him. He goes out  
27 with our engineers on ships. He went right through to  
28 Three Rivers to see what it was like.

29 Q. From your point of view as an engineer  
30 what is done in fact when you investigate a complaint that







1 a ship was not able to get through to your station, from  
2 an engineer's point of view?

3 A. Of course the engineer is -- the first thing  
4 he thinks of is the technical end. He satisfies himself  
5 the technical end was satisfactory at the time of this  
6 incident to which the complaint was lodged. Then of course  
7 there is the operating end and then I turn to my operations  
8 engineer and he turns to his operating clerk and says  
9 now why? Was it the fault of our station or anything like  
10 this, why we received this complaint?

11 Q. The technical aspects and the operating  
12 aspects apply to your station when you carry out your  
13 investigation?

14 A. Yes, this is the first thing.

15 Q. Would not some investigation have to be  
16 made on board the complaining ship?

17 A. It should be. We have had trouble with the  
18 Duplex on certain vessels and this makes you suspicious  
19 there is trouble and then we get aboard and find out there  
20 is trouble.

21 Q. The trouble is aboard the ship sometime?

22 A. Yes.

23 Q. Thank you very much.

24 CROSS-EXAMINATION BY MR. LALONDE:

25 Q. In connection with the Carl Julius Mr.  
26 Gingras, I am informed that the incident I referred to  
27 occurred on July 11th. The incident occurred between 6 or 7  
28 in the morning and the message would seem to have been  
29 received in Quebec around 12:50.

30 A. Our Quebec Marine Station received the





1 message at 12:50?

2 Yes.

3 A. You are sure of the time in the morning?

4 This is the important factor.

5 Q. The time in the morning is the time at which  
6 the incident occurred aboard the ship and the time they  
7 probably tried to reach Three Rivers and then finally  
8 reached Quebec.

9 A. We have the right to go aboard that vessel  
10 and examine the radio equipment and examine his log so  
11 we may have to do this.

12 Q. I am afraid the Carl Julius may be pretty  
13 far by now.

14 A. Without this information, you see, they  
15 can say I was calling continuously during that time.

16 Q. My question was would you check in your  
17 service at what time you did receive that particular call,  
18 if it would appear in your log, and whether it was  
19 immediately transmitted to the signal's service?

20 A. That is right.

21 Q. Because the complaint is not only to the  
22 effect it took a long time before reaching the station,  
23 but to the effect that the usual service log, the pilotage  
24 services were not informed beforehand sometime.

25 A. Can you tell me was the radio operator --  
26 do you know if the message was W.T. or R.T.?

27 Q. Would both appear in your log book?

28 A. No. You see, we had difficulties.

29 Q. I was not aboard the ship, you realize  
30 that?





1 A. What registry is this vessel?

2 A. German registration.

3 A. There now, there may be a language problem  
4 right there.

5 Q. You have some language problems sometimes?

6 A. We have the right to refuse the boat entering  
7 the Great Lakes if the radio operator cannot speak  
8 English.

9 Q. Entering the Great Lakes but he can go  
10 up to the Great Lakes with any other language.

11 A. There is an international agreement.

12 Q. Does it create trouble or problems in your  
13 service?

14 A. Now then when a German operator has to  
15 spell out a 50 word message in German by the phonetic  
16 alphabet, what do the rest of the poor people do that are  
17 trying to get in on this radio circuit? That is our  
18 trouble.

19 Q. Then you have some messages, I suppose,  
20 which take quite some time to get through?

21 A. So why shouldn't we take the attitude you  
22 come to our country, speak our two languages or else  
23 don't go up into our waters. It isn't very kind but I  
24 think it is necessary?

25 Q. But your regulations apply when you get  
26 to the Great Lakes?

27 A. This is by International Agreement.

28 Q. But the language problem may arise as far  
29 as the Great Lakes?

30 A. Yes, it could happen along the river here.







1 He would be holding the working channels for five or ten  
2 minutes.

3 Q. And this occurs?

4 A. We can check -- I saw a German message,  
5 looking through the logs the other day, yes, quite a long  
6 message.

7 Q. If any complaints are made to your service,  
8 would they get to you eventually, concerning the operation  
9 of the service on the St. Lawrence River?

10 A. To me personally?

11 Q. Yes? Would you know about them or would  
12 you be informed that a complaint has been received to the  
13 effect that, for instance, there was difficulty in  
14 reaching your station at certain times?

15 A. Unless it is very serious, it wouldn't reach  
16 my level. Just stay at the operating level in our  
17 office. We have a staff of five or six to look into  
18 operations. If it got to a serious level where something  
19 had to be done, it would come to my attention.

20 Q. I asked you whether you had received com-  
21 plaints from other ship masters or pilots. Did you receive  
22 a complaint from the Department of Transport officials  
23 concerning the difficulties in getting messages through  
24 to your station at certain times?

25 A. No. I cannot recall myself. I cannot.

26 Q. Mr. Gingras I have a letter here which  
27 is signed by Mr. Monarque for Captain Gendron and sent  
28 to Mr. Menard who is the Secretary of the Corporation of  
29 the Lower St. Lawrence Pilots. It refers to a -- I  
30 will read my lord and I can table it now or, if you prefer,





1 to have it tabled later on, the letter is partly in  
2 French and partly in English and it says: It is dated  
3 Montreal, August 11, 1961, addressed to Mr. Wilfrid Menard,  
4 Secrétaire-trésorier, the date is Montreal, August 11,  
5 1961, Wilfrid Menard, Corp. of the Pilots, Lower St.  
6 Lawrence, 71, St-Pierre, Quebec. --

7 Cher monsieur,

8 Pour faire suite à votre plainte  
9 du 27 juillet dernier au sujet de la radio-  
10 téléphonie, je soumets l'explication  
11 intégrale que nous avons reçue de notre  
12 bureau-chef à Ottawa.

13 "Following receipt of your letter  
14 of July 18, 1961, on the difficulties  
15 being experienced in transmitting  
16 E.T.A. messages from ships inbound  
17 to Quebec, we took the matter up  
18 with the Telecommunications and  
19 Electronics Branch. They have now  
20 replied that this problem will con-  
21 front us until the new station, to be  
22 built at Riviere-du-Loup, goes into  
23 operation. However, they are actively  
24 taking steps to improve radio reception  
25 and the receiving equipment has been  
26 moved to a new place outside the range  
27 of heavy local interference."

28 J'ose croire que cette explication vous per-  
29 mettra de juger de l'acuité du problème.  
30 Toutefois, je vous saurais gré de me tenir







1 au courant de toute amélioration, même sensible,  
2 des contacts radio-téléphoniques de vos  
3 pilotes avec cette station.

4 Bien a vous,

5 THE CHAIRMAN: I think it should be filed  
6 right at the moment and given a number 573.

7  
8 ---EXHIBIT NO. 573: Letter dated Montreal, August 11,  
9 1961.

10 Q. Mr. Gingras, have you heard of that  
11 complaint and did you participate in the answer which  
12 was given to the Department of Transport in July or  
13 August 1961 in that respect?

14 A. I certainly do not recall if I were, sir. I  
15 would not deny or I would not admit it. I don't remember.  
16 This may have been done at Headquarters level entirely.

17 Q. Thank you very much.

18 THE CHAIRMAN: We will now take a short  
19 recess.

20  
21 ---Short recess.  
22  
23  
24  
25  
26  
27  
28  
29  
30





D

1 In order to clarify your testimony so far, I  
2 understand that you are controller of telecommunications  
3 and electronics for the Department of Transport, Province  
4 of Quebec?

5 A. That is correct, actually Quebec Region,  
6 we call it.

7 Q. You have under your jurisdiction the coastal  
8 radio stations Montreal, Three Rivers, Quebec, Mont  
9 Joli and Fox River?

10 A. And Fox River.

11 Q. Would you tell me by whom your stations  
12 are manned, are they manned by D.O.T. personnel or  
13 Canadian Marconi?

14 A. One hundred per cent D.O.T. personnel.

15 Q. It has changed from the previous setup?

16 A. Yes, sir.

17 Q. Even Fox River is manned by D.O.T. personnel  
18 now?

19 A. That is correct.

20 Q. I understand there is a fourth station in  
21 your district which is Seven Islands, which is privately  
22 owned and operated?

23 A. That is correct. I forgot that station.  
24 This is our station.

25 Q. That is your station?

26 A. D.O.T.'s. I am sorry I omitted it. I  
27 shouldn't have. It is 100 per cent D.O.T.

28 Q. One hundred per cent D.O.T.?

29 A. You had also a fifth station which is now  
30 closed, which is Point Noir at the entrance of the Saguenay





1 River?

2 A. That is right. It is not operated as a  
3 marine station.

4 Q. Could you tell us the reason why that  
5 station is closed?

6 A. I can't because I arrived here for my  
7 present duties two years ago and I am not familiar with  
8 why the station is closed.

9 Q. I understand that you have nothing to  
10 do with the operation proper of these stations? I mean  
11 by that the administration, the organization of staff  
12 and so on. You look after the functioning of the station;  
13 is that correct?

14 A. Well, I have an operations section  
15 and it is their duty to see that these stations function  
16 properly, to obtain men for them and to keep the station  
17 going. Does that answer your question?

18 Q. Yes. Mention was made of Mr. Wells. Does he  
19 came under you?

20 A. Mr. Wells comes from Headquarters.

21 Q. Mr. Wells comes from Headquarters?

22 A. From Ottawa Headquarters.

23 Q. And you are stationed in Quebec?

24 A. In Montreal.

25 Q. In Montreal?

26 A. That is the region office of the Province  
27 of Quebec.

28 Q. Mention was made of complaints as to the  
29 effectiveness of your coastal radio stations. Mention  
30 was made of complaints made by owners and masters of vessels







1 I understood you to say, if I understood you correctly  
2 that all these complaints weren't automatically sent to  
3 you personally but they go to headquarters; is that  
4 correct?

5 A. Not necessarily. If a complaint comes in  
6 and if it is not received, the message wasn't properly  
7 transmitted or something it is investigated by our  
8 Operations Branch.

9 Q. What about complaints having to do with  
10 gaps in your system, for instance, the gap that exists  
11 between Banc Brule and the entrance of the Saguenay River.  
12 Would these complaints go to you?

13 A. Not entirely no, not all of them. I don't  
14 remember ever receiving any.

15 Q. Has it been brought to your attention over  
16 the last five years at least every year the St. Lawrence  
17 Ship Owners Incorporated have been sending official  
18 complaints to D.O.T. concerning this gap between Banc  
19 Brule and the entrance to the Saguenay River?

20 A. No, sir. It has also been my report.  
21 I visit the stations. I recommend them if I am asked  
22 to by headquarters. I have my terms of reference and  
23 it doesn't include decisions, official decisions as to  
24 bringing about of another station, putting in another  
25 station, I might investigate it for headquarters.

26 Q. Have you received such complaints from  
27 the Supervisor of Pilots in Quebec?

28 A. Not to the best of my knowledge. I don't  
29 remember.

30 Q. Has complaints made by the St. Lawrence





1 Ship owners to the Point Noir Radio Station been brought  
2 to your attention?

3 A. Not to the best of my knowledge, no.

4 Q. Has complaints made by the same association  
5 on many occasions in the last several years regarding  
6 French speaking operators of your stations been brought  
7 to your knowledge also?

8 A. In what respect? I may have had a few  
9 complaints. In what respect? We have had a few. We  
10 do our best, but we are limited in that we don't have  
11 many qualified French-speaking people.

12 THE CHAIRMAN: Mr. Langlois, do you suppose  
13 with regard to these complaints that some evidence  
14 is going to be brought before the Commission?

15 MR. LANGLOIS: My lord, to simplify matters,  
16 since I have been acting for quite a number of years  
17 as legal advisor for the St. Lawrence Ship Owners Association  
18 and also as their Acting Secretary I can myself certify  
19 copies of these resolutions and complaints and file them.

20 THE CHAIRMAN: I think it would help.  
21 Thank you very much.

22 MR. LANGLOIS: Do you have difficulties  
23 in the recruiting your personnel, your french-speaking  
24 operators?

25 A. Yes, we do. Quite frequently we have  
26 difficulties. Our operators go for final courses in  
27 headquarters in Ottawa. They have a four-month course  
28 there. They are specialists in their work. They are  
29 taught to specialize. Now then, unfortunately, all of  
30 the french-speaking boys --, that is their maternal tongue.







1 is French, they fail because they don't speak English  
2 well enough.

3 Q. Have you tried to enlist your operators  
4 from the Rimouski Marine School?

5 A. Oh, yes, if they are qualified. I haven't  
6 been into this in detail. Mr. McOrman has. Unfortunately  
7 he is retired now. He has had quite a bit to do with  
8 this Rimouski School. To the best of my knowledge we  
9 have had very few men in our operating ranks from the  
10 Rimouski School.

11 Q. Now, coming back to your station proper  
12 I understand the station, and correct me if I am wrong,  
13 the station at Montreal is at Dorval, the airport?

14 A. Correct.

15 Q. Three Rivers, Cap de la Madelein, a  
16 separate station?

17 A. Yes.

18 Q. And the Quebec station is at the airport  
19 also?

20 A. Yes, that is correct.

21 Q. Mont Joli is at the airport also?

22 A. Correct.

23 Q. And Seven Islands and Fox River are in-  
24 dependent stations?

25 A. Seven Islands is at the airport.

26 Q. The airport also?

27 A. Yes. Fox River there is no airport so  
28 it is alone. It is a pure marine station.

29 Q. My understanding is the staff operating --  
30 manning their stations are handling air service as well?





1 A. Yes, sir.

2 Q. Has it been brought to your knowledge  
3 that on many, many occasions ships would be calling, for  
4 example, your Quebec station and if many ships are calling  
5 the Quebec station they would wait half an hour, an  
6 hour or so without getting any reply, and after an hour  
7 or so of endeavour or method of this kind your operator  
8 would come on and say what ships have been calling  
9 Quebec, and then he would have 4 or 5 ships that had  
10 been calling in that time trying to get in and you have  
11 quite a jam in traffic.

12 Has this situation been brought to your know-  
13 ledge?

14 A. Once it was brought to our knowledge  
15 and it was turned over for investigation and we asked  
16 for precise time. It is always the trouble when  
17 you get reports. We don't deny we are perfect. We like  
18 to know when we are called and we can check the log to  
19 see if it was our fault that we didn't receive them.

20 Q. Sir, I make quite extensive use of  
21 your service?

22 A. That is right. I don't deny this.

23 Q. I am instructed and I know as a fact, and  
24 I don't want to be giving evidence, that this situation  
25 obtains, particularly with you have ships that have to  
26 anchor in the St. Lawrence between Quebec and Montreal and  
27 on leaving their anchorage have to report they are under  
28 way again have difficulties and it is impossible to get  
29 use of your station, isn't that a fact?

30 A. I am not certain.





1 Q. You are not certain?

2 A. No.

3 Q. In order to ascertain the volume of traffic  
4 do you carry out private surveys like telephone companies,  
5 for example?

6 A. Yes, not on a large basis. The officer  
7 in charge, he is watching the nature and if he thinks  
8 that the volume of our traffic is too great for the  
9 number of operators he will bring it to our attention.

10 Q. Now, you mentioned awhile back when  
11 examined by Mr. Jacques that you had certain periods of  
12 the year, what you called the busy season, and you put  
13 two or three operators on. Am I to understand that these  
14 three operators are on duty at the same time, forming  
15 part of the same watch?

16 A. That is correct.

17 Q. That is correct?

18 A. Yes.

19 Q. Could then these three operators, do you  
20 have the necessary equipment, is what I have in mind,  
21 to keep these three operators busy at the same time  
22 answering calls?

23 A. Yes, because we wouldn't have them there  
24 if we couldn't operate them, right?

25 Q. If you have three operators go on duty  
26 and several ships would be calling say on Channel 2182  
27 which is the International Band, could either of these  
28 three men answer the call?

29 A. They could.

30 Q. They could. Is it done?







1 A. It is an intention. I presume it is  
2 done.

3 Q. And then suppose you have again your three  
4 operators taking in all the business, the commercial calls  
5 say on Channel 2, who is going to handle Channel 1 which  
6 is the channel for all ships wishing to get in touch with  
7 your station?

8 A. Well, there are two or three operators  
9 together and they have loudspeakers.

10 Q. If they are busy on the ship-to-ship or  
11 ship-to-shore...

12 A. What would a ship owner provide if he were  
13 asked to receive 5 calls simultaneously? What would he  
14 do?

15 Q. I beg your pardon?

16 A. What would a ship owner do in the way of  
17 providing security -- a ship is a mobile station. We  
18 are a fixed station.

19 Q. Yes.

20 A. All right. What would a mobile owner  
21 do if he knew he was required to answer up to 5 simultan-  
22 eous messages?

23 Q. He would put in the equipment to do so.

24 A. Would he put in 5 men to get 5 messages  
25 once a day only? The point is it is a matter of balancing  
26 up the necessity for staff.

27 Q. That is why I prefaced this question by  
28 the general question, why I asked you if you carried on  
29 traffic surveys to find out exactly how many men you  
30 need at a station to handle all the calls you are receiving





1 in a day?

2 A. You mean a man there to log everything.

3 Q. Yes.

4 A. A traffic survey -- they have these student  
5 out. They are extra men. Is this what you mean, do we  
6 have extra men on?

7 Q. Yes?

8 A. No. We don't put extra men on just for  
9 the purpose of traffic surveys.

10 Q. You filed as Exhibit 572 a report, and  
11 when giving evidence on this report you mentioned paid  
12 calls or paid messages.

13 A. Right.

14 Q. Would you tell the Commission as to  
15 whether or not a message of the type of the one example  
16 which was explained Hudson Transport report of Buoy 89  
17 out of charted position, would that be a paid call?

18 A. In the lower right-hand corner...

19 Q. This is the top one, the first one men-  
20 tioned?

21 A. If there are no dollars and cents...

22 Any paid call shows the charges. If there  
23 are no charges it is not paid.

24 Q. Where are the charges shown?

25 A. In the lower right-hand margin. At the end  
26 of the message on the right-hand side. I have mislaid  
27 my copy for the moment. If you would show me -- I have  
28 mislaid my copy for the moment.

29 There would be 97 cents for D.O.T. and then it  
30 would go from D.O.T. over to C.N.R. or C.P.R. and it would







1 be 94 cents. It comes to \$1.80 or \$1.90 so none of these  
2 are paid messages.

3 Q. None of the messages contained in Exhibit  
4 572 are paid messages?

5 A. No, otherwise they would have them.

6 Q. I am instructed, sir, and would you please  
7 verify this, I don't want to contradict your evidence,  
8 but I would like you to make some research. I am instructed  
9 that when a message is signed by the Master of a ship,  
10 even if it is a message reporting an aid to navigation  
11 not functioning properly, and even if it is addressed to  
12 D.M.A. the ship is charged for the message. Would  
13 you please verify that.

14 A. I can't verify that at the moment, no.

15 Q. Would you be in a position to verify that  
16 and let us know?

17 A. Would you repeat this question so we can  
18 get the detail of it correct.

19 Q. I am instructed that when a message is  
20 sent to D.M.A., Quebec, Three Rivers or Sorel -- not Three  
21 Rivers, there is no D.M.A., Sorel or Quebec, and that  
22 such a message is signed by the Master of the ship, even  
23 if this message reports an aid to navigation in trouble  
24 or out of position that the ship will be charged for such  
25 a message?

26 A. We will determine this. Some ships  
27 include other information and this allows us to say the  
28 message is not free. However, we will answer your  
29 question.

30 Q. My lord, at this stage I should say my





1 purpose of asking the question is I am instructed that  
2 pilots sometimes have difficulties in getting a ship to  
3 report a buoy off station because the ship is charged  
4 for the call and in such a case the only remedy left to  
5 the pilot if he wishes to report the aid to navigation is  
6 to call the station and have the station report the aid  
7 to navigation out of operation. That is why I asked the  
8 witness to clarify the situation in this regard.

9 THE CHAIRMAN: I think it is very important.

10 MR. LANGLOIS: Have you received complaints,  
11 also, that many ships are using channel 2182 which is  
12 the International Band for ship-to-ship communication?

13 A. Yes.

14 Q. Is it not also a fact that particularly  
15 in the Lower St. Lawrence there is quite a lot of inter-  
16 ference being created by, say, Portugese trawlers talking  
17 between themselves on 2182?

18 A. We wouldn't deny this.

19 Q. What has been done in order to remedy  
20 this situation?

21 A. Our regulations say the Department is  
22 expected to take it up with the ships' agent, if there  
23 is one, or with the Consul of the country, the country  
24 under which the ship is registered. I believe that is  
25 the first step.

26 Q. What if the offender is a Canadian ship?

27 A. Then it is easier to deal with. If it  
28 becomes very annoying we can take the licence away.

29 Q. Take his radio licence away. Would the  
30 operator be fined also, in addition?







1 A. Well, we have nothing to say about that.  
2 We don't hire them.

3 Q. I mean fine the operator who is violating  
4 the regulation? Can he be fined for such a violation?

5 A. I am not sure on that point.

6 Q. Now, these weather broadcasts, I am in-  
7 formed that they are originally issued in English and  
8 translated on the spot by your operators at the station;  
9 is that correct?

10 A. Yes, to the best of my knowledge that  
11 is correct.

12 Q. It is an off-hand translation done on  
13 the spot at the station. Would this explain the reason  
14 why we have so poor French, the French is so poor on the  
15 weather broadcast?

16 A. Well, our boys have a fairly good education.

17 Q. Yes, you can have a good education and  
18 be fairly bylingual and when you have to make an off-  
19 hand translation you might make a mistake. Couldn't these  
20 be translated before they are put on the air?

21 A. Then there would be a considerable delay,  
22 wouldn't there be? Are you suggesting we should have a  
23 translator at each station?

24 Q. I can't tell you -- myself I can tell you  
25 I was listening to your broadcast Saturday night on my  
26 own radio-telephone in my yacht and the French used was  
27 just awful. I could hardly myself understand what they  
28 said.

29 MR. JACQUES: I am sorry to interrupt..

30 THE CHAIRMAN: Mr. Langlois, you will be







1 liable for cross-examination.

2 MR. LANGLOIS: I will be willing to give  
3 evidence on that.

4 THE WITNESS: Did you record this.

5 MR. JACQUES: I would submit this is relevant  
6 if my learned friend would tell us that the pilots of  
7 the Lower St. Lawrence District don't speak English, and  
8 therefore have to rely solely on the French broadcasts.

9 MR. LANGLOIS: My lord, in order to comment  
10 on the statement just made by my learned friend...

11 THE CHAIRMAN: As far as that is concerned  
12 I may make a comment myself. If it is worth being broad-  
13 cast in French it should be well broadcast. If it isn't  
14 done well it isn't worth doing. If it isn't translated  
15 well it may not convey the meaning it is intended to  
16 convey and cause more mistakes and more accidents. If it  
17 is to be translated it should be translated well.

18 MR. LANGLOIS: Besides the pilots, most  
19 of them who are fully bilingual, there are about 100  
20 schooners operating in the St. Lawrence.

21 THE CHAIRMAN: They are hazards to nav-  
22 igation.

23 MR. LANGLOIS: And don't understand English.  
24 Probably the situation was such, there has been some im-  
25 provement lately in recent years.

26 MR. LALONDE: That is evident.

27 MR. LANGLOIS: Also, my lord, sometimes  
28 what happens, you listen to a broadcast in English and  
29 there is interference and you miss an important part of  
30 the broadcast and you want to check. If the French is





1 bad and you can't understand it the purpose of the message  
2 is lost.

3 A. We make spot checks. We send men out  
4 with recorders. There is no use confronting an operator  
5 and telling him his broadcast was no good because he  
6 could deny it, right? We take a recorder and go to a  
7 hotel room or stop our car a mile from the spot and record  
8 the broadcast. Have you a record of this? We would like  
9 to give it to this operator and he can listen?

10 Q. I don't go around recording the broad-  
11 casts.

12 A. We have to do this ourselves to provide  
13 the best service we can.

14 THE CHAIRMAN: We understand the difficulty  
15 for you to check up. If you have no evidence the facts  
16 may be reported different ways. I understand your  
17 trouble there.

18 THE WITNESS: We ask ship owners and  
19 pilots of aircraft to give us records. We can't police  
20 it 100 per cent.

21 MR. LANGLOIS: I want to make it clear  
22 I am not blaming the operator. There could be very com-  
23 plicated messages. Thank you, Mr. Gingras.

24  
25 CROSS-EXAMINATION BY MR. MAHONEY:

26 Q. You mentioned earlier that location of  
27 the coast station at Montreal was at Dorval Airport?

28 A. Yes.

29 Q. Is the antenna for that station also  
30 located at Dorval?







1 A. About 3 or 4 miles from Dorval. There are  
2 several antenna.

3 Q. They are in use at the moment or alternately?

4 A. For different frequencies there are several  
5 antenna. You see there is an antenna - I will explain  
6 Montreal. It is a large station. For the V.H.F. we  
7 have antenna on top of the television tower of the Mount  
8 Royal. We have very good coverage. On the receiving  
9 end we have the receiver for V.H.F. on the Aldridge  
10 Building in downtown Montreal, about 10 or 15 storeys.  
11 With the purpose in mind that with very high frequency  
12 V.H.F., you must have line and sight between the  
13 transmitter and receiver, so this is why I repeat we  
14 have our transmitting antenna on top of the Mount Royal.

15 Q. How long has that antenna been on top  
16 of the Mount Royal?

17 A. Just a few months, just a few months.

18 Q. Can you tell us, sir, where the Montreal  
19 Station was located before it was moved to Dorval?

20 A. I don't know if I can describe it well.  
21 It was called -- it was an area, St. Michel and it is  
22 inland from the River a few miles. That is all I can  
23 tell at the moment.

24 ---

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1 Q. And is it east of Montreal or west of  
2 Montreal?

3 A. It's east of Montreal.

4 Q. You mentioned sir that you have heard of  
5 some complaints made by larger ships rather than yachts,  
6 that they had difficulty in contacting the Montreal Coast  
7 Station at La Norail?

8 A. That is right. Large vessels, we made a  
9 report and Mr. Wells came down and we sent him and one  
10 of our most -- I am sorry, Mr. Wells sent somebody out on  
11 a vessel. We arranged through the signal station, got  
12 a radio on this steamer as far as Three Rivers to listen  
13 to signals, to get an idea. This only gives you a rough  
14 idea. We followed this up with a thorough investigation  
15 by our engineers.

16 Q. Is the reason for this difficulty then  
17 a question of apparatus, a question of jamming of traffic  
18 or is it, in this particular case, a question of a dead  
19 spot in the transmission or interference by some of our  
20 masses of land? In other words, is it due to the location  
21 of the transmitter or the antenna?

22 A. Now to answer your question it should be  
23 answered in two parts. The first part is as far as our  
24 transmissions are concerned, Montreal radio has a 1,000  
25 watt transmitter on H.F. channels. 2182, and so on,  
26 and we investigated a few months ago our transmissions  
27 out as far as Sorel and they are satisfactory, and in  
28 this respect they comply with the International Regulations.  
29 The signal strength is equal or greater than 50 micro  
30 volts per meter.





1 Now then half of communication is the receiving  
2 end. This is where the difficulty lies. Our receiving  
3 antennas are located at Dorval and we are established  
4 as a fairly high powered transmitter. There is no  
5 difficulty. But when you get a low powered transmitter  
6 on a vessel which will not propagate its signal through  
7 to our antenna, which is near Dorval, it is in Beaconsfield  
8 actually --

9 Q. In other words, a vessel at La Norail would  
10 still have difficulty in contacting Montreal Coast  
11 Station?

12 A. It could in our Montreal station. Montreal  
13 Station you could hear it.

14 Q. This is my point. Is it not true sir  
15 that the transmitting strength of the mobile stations  
16 are controlled by international convention or set by  
17 international convention?

18 A. Our vessels roughly are divided into two  
19 classes. One class you are not obliged to put a radio  
20 aboard. The other class you are obliged by international  
21 agreement.

22 Q. But my point is if you do have a radio  
23 aboard, it must have a certain transmitting strength.  
24 Is that not so?

25 A. There is nothing laid down definitely on  
26 that point because you are not obliged to have a radio  
27 aboard vessels of the class that we call non-compulsory  
28 fitted vessels? Right?

29 Q. Yes.

30 A. So we don't force them by law to have a







1 radio aboard. If they put it aboard, it's for their own  
2 convenience. If their apparatus is not capable of working  
3 into the apparatus -- is not compatible with the apparatus  
4 we provide, then there lies the difficulty.

5 Q. Is it not true that before the re-location  
6 of your antenna from Montreal East to Dorval, that these  
7 dead spots did not occur? These ships had no difficulty  
8 with their existing equipment in reaching your coast  
9 station?

10 A. I am not prepared to give a truthful  
11 answer on this because the moving of the St. Michel  
12 Station to Dorval had occurred just before my taking over  
13 my duties at Montreal so I have heard, of course, but  
14 this is hearsay. I am not prepared to give a truthful  
15 answer to that question. I don't know.

16 Q. But from your general knowledge of the  
17 situation, would you disagree with me if I said that  
18 there was not too much difficulty in reaching the coast  
19 station at that time?

20 A. From what area sir? La Norail?

21 Q. From La Norail?

22 A. Yes, I would say technically that there  
23 wouldn't be as much difficulty.

24 Q. You have told us about the difficulty  
25 which, as you say, arises from the low power of some  
26 vessel transmitters or mobile transmitters. Does that  
27 apply also to V.H.F.?

28 A. Not so much with V.H.F. Your V.H.F. is  
29 normally 50 watt power or 20 or 30 V.H.F. If your  
30 antennas did not see one another, roughly speaking, the





1 communication is impossible although if you have 50 watts  
2 of power, you can blast your way over the horizon about  
3 three or four miles.

4 Q. Does a ship using a V.H.F. transmitter in  
5 Montreal Harbour have difficulty in making contact with  
6 your receiving station at Dorval?

7 A. We are not finished getting the data from  
8 our Dorval Station but from what I have heard, communication  
9 now is very satisfactory. V.H.F. in Montreal Harbour is  
10 satisfactory because of the fact we have our transmitter  
11 up on the mountain, have our receiver right at the  
12 harbour.

13 Q. You need to have a receiver in the harbour  
14 rather than the receiver, which you mentioned, close to  
15 Dorval?

16 A. That is right sir.

17 Q. Do you know, or are you aware that the  
18 Seaway Authorities have regulations with respect to the  
19 strength of a transmitter for vessels using V.H.F. in  
20 the Seaway?

21 A. I am not aware of the exact figure, no.  
22 My radio regulations office handle all this and when the  
23 ship is expected to go out, they watch for this but I  
24 cannot give you the figures.

25 Q. Those regulations would prescribe the  
26 minimum strength of the transmitter, would they not?

27 A. I would think so.

28 Q. I take it that your area stops at  
29 Montreal. There is no point in my asking you any questions  
30 about some dead spots west of Montreal; is that correct?







1 A. Not too much, no.

2 Q. Thank you.

3

4 CROSS EXAMINATION BY MR. BRISSET:

5 Q. You have spoken about your operators  
6 keeping a log in various stations. Is that log kept in  
7 loose leaf?

8 A. If I may just show an example of a log  
9 that is kept by an air radio station. I could not, in  
10 the limited time, find an old unused copy or specimen to  
11 show you the format of our log.

12 Q. What really I am driving at Mr. Gingras  
13 is to ascertain whether the log can be made up as the  
14 message comes in?

15 A. The log is definitely made up as the  
16 message comes in. These papers are in the typewriter  
17 all the time and until the page is full of typing, it  
18 remains in the typewriter and then the operator puts in  
19 another sheet. In other words, yes, he is listening  
20 and typing simultaneously.

21 Q. Now Mr. Gingras are you aware --

22 THE CHAIRMAN: Would you like to see it  
23 Mr. Brisset before going further?

24 MR. BRISSET: No.

25 A. This one I have in my hand is from Sept 11  
26 Marine Air Radio Station. Just happens to be an example  
27 of the paper made in copies, you see. There are three  
28 copies and these are kept for a matter of 10 months  
29 and longer if there is, in the case of any messages  
30 pertaining to this investigation, these will be kept until





1 we are sure that they will be no longer needed.

2 Q. Now Mr. Gingras are you aware of the in-  
3 cidence of any local interference or incidence of blind  
4 spots in the river between here, Quebec and Les Escoumains?  
5 Are there spots where radio communication becomes  
6 difficult?

7 A. It is not too good in the area down towards  
8 Riviere du Loup and this is why we are putting in another  
9 station. There is sort of a gap where signals tend  
10 to be weak.

11 Q. Will this proposed station at Riviere du  
12 Loup improve reception of transmission on the north side  
13 of the river in certain spots where there might be local  
14 interference due to mountains, and so forth?

15 A. That I wouldn't want to answer without  
16 studying it very carefully, the terrain, and so on. You  
17 see H.F. is affected by hills and mountains, low frequency  
18 H.F., higher frequencies, 2182 which is the calling  
19 frequency used quite extensively in marine work, it  
20 propagates through the earth itself so if you strike rock,  
21 it sort of stops it, dissipates it. Your question  
22 cannot be answered fully without a complete investigation  
23 as to what area you are speaking of but generally speaking  
24 there will be an improvement.

25 Q. There will be an improvement. Thank you.

26  
27 CROSS-EXAMINATION BY MR. JACQUES:

28 Q. Mr. Gingras would you have any examples  
29 of interference further up the river between here and  
30 Montreal?







1 A. Yes. I was examining the logs in our  
2 Three Rivers Station. I was told by the officer in charge  
3 quite a bit of interference. The Signals Service at  
4 Sorel for the past few months has been using low power  
5 F.M. transmitter and receiver on channel 16. This is  
6 a little portable set. We bought two or three hundred  
7 of these, a gift to the Signal Service to use up in the  
8 north when our supply ships go in the north.

9 Now then this is a safety channel, channel 16,  
10 so it should not be used for anything except safety,  
11 roughly speaking calling safety, let us say, so what is  
12 happening is this: that our marine station at Three  
13 Rivers does not hear Sorel because it is low power and  
14 just a little portable set but it does hear the ships  
15 that reply and are blasting in and interfering with the  
16 station.

17 Q. With the safety channel?

18 A. With the safety channel. Sorel isn't heard  
19 by V.B.K. V.B.K. is our station at Three Rivers but  
20 V.B.K. gets all the return transmission from ships, example  
21 of what is being transmitted.

22 Q. On the safety channel?

23 A. Yes, E.T.A., expected time of arrival,  
24 weather information, asking for weather, asking for  
25 berthing instructions so this is what is going on now,  
26 you see. We have to get on top of this some way or  
27 another.

28 Q. Would you explain what is meant by a safety  
29 channel please?

30 A. Safety channel is for safety of life at







1 sea. There are safety channels in the aeronautical band.  
2 The aeronautical band is 121.5 megacycles and you are not  
3 permitted -- a pilot in an aircraft is not permitted to  
4 transmit on this unless he is in trouble.

5 Q. Let's refer to pilots on ships.

6 A. Now then pilots on ships, this safety  
7 channel band sometimes is stretched. You can call on this  
8 but you must get off that channel as soon as you make  
9 your contact. You should get off this channel.

10 Q. Would you consider as proper use of the  
11 safety channel the reporting of aids to navigation out  
12 of order?

13 A. According to our regulations, it is out  
14 of order. If I get your question.

15 Q. It is out of order to report aids to  
16 navigation out of order in the channel?

17 A. I am sorry, I thought you were speaking of  
18 these --

19 Q. No, not the examples which you gave.

20 A. In my opinion, this is an opinion, I have  
21 never been given a ruling on this, in my opinion it would  
22 not be out of order to use the safety channel for reporting  
23 dangers to navigation. It is my personal opinion. It  
24 is up to our legal branch to give the firm final opinion.

25 Q. Now sir to clarify the record, and also  
26 perhaps to clarify the Commission's mind on certain  
27 points you referred to the use of "Mayday" in case of  
28 emergency.

29 A. Yes.

30 Q. Would you define what you mean, or what





1 is meant by emergency?

2 A. A ship in distress, lost a rudder or  
3 I forget the nautical term, they cannot navigate, Something  
4 wrong with the rudder. They are adrift, striking a rock.

5 Q. Not under command, is that it? A ship  
6 not under command?

7 A. That is my impression of the term, yes.

8 Q. The term of emergency?

9 A. That is my impression. I have never had  
10 a definite ruling.

11 Q. Apart from this emergency, is there  
12 another class of message which might be classed as --

13 MR. LANGLOIS: My lord, on this point if my  
14 learned friend will allow me to interrupt, we were getting...  
15 the definition of a Mayday signal is a distress signal.  
16 The examples which have just been given is a pan signal.

17 Q. Apart from these emergency calls, are  
18 there any other calls which would be of a less urgent  
19 nature but would still have priority over other traffic?

20 A. I couldn't enumerate any sir. Possibly  
21 could be but I couldn't enumerate any.

22 Q. Regulations would be best able to  
23 answer this question?

24 A. That is right. This would be laid down  
25 in our procedure.

26 Q. Thank you sir.

27 CROSS-EXAMINATION

28 BY MR. LALONDE: You have mentioned certain  
29 blind spots below Quebec. Is it the case that on the  
30 Saguenay River the whole river would pretty well be a  
signal long blind spot?







1 A. To what frequency? What frequency are you  
2 speaking about?

3 Q. I am not an expert on frequencies but can  
4 you communicate regularly just as well as somewhere else  
5 on the river, in the Saguenay River?

6 A. No, not so easily.

7 Q. Not so easily. What difficulties do you  
8 encounter communicating with ships on the Saguenay River?

9 A. From which station? Ship to ship now?

10 Q. Ship to shore, to begin with and then you  
11 can go to ship to ship if you wish.

12 A. And we are talking of 2182 and 2514, and  
13 so on, H.F.?

14 Q. Yes.

15 A. Because this does make a big difference.  
16 Depends on where the mobile station is, the ship, and  
17 where the land station is. You pick out a land station.

18 Q. Quebec City.

19 A. Quebec City, well this is very difficult.

20 Q. This is very difficult?

21 A. Yes.

22 Q. Would it be fair to say that it is almost  
23 impossible?

24 A. No, not impossible.

25 Q. What about Mont Joli, communicating with  
26 Mont Joli?

27 A. From the Saguenay, what relative position?  
28 Across the water would be very good but it's when you  
29 strike the land there, depends on the terrain. This would  
30 take a little study. Yes, up to Port Alfred are you





1 speaking of? You have a large -- you are going over large  
2 area of land there, yes, your transmission over land  
3 there from Mont Joli --

4 Q. And there would be difficulty encountered?

5 A. It depends on the power of the transmitting  
6 station and the receiver.

7 Q. Did you make any studies of --

8 A. No.

9 Q. You never made any studies of the difficulties  
10 of communication on the Saguenay River?

11 A. No, we did not.

12 Q. But you heard then, When you say that there  
13 is difficulty, for instance, communicating between the  
14 Saguenay River and Quebec City, you make this on the basis  
15 of information which has been given to you somewhere  
16 else?

17 A. Yes, I have heard verbally that there  
18 were complaints and I can appreciate them.

19 Q. I would like to state all the questions  
20 you are being asked are not in order to criticise you  
21 personally, but a matter of providing service to the  
22 public?

23 A. That is right.

24 Q. Did you also hear about difficult blind  
25 spots around Quebec Bridge on the river?

26 THE CHAIRMAN: Excuse me, while you are  
27 saying this is for the knowledge of the public, it is  
28 more than that. As far as we are concerned it is to  
29 find out the extent of the reliability of the aids to  
30 navigation.





1 MR. LALONDE: Yes, of course my lord. I  
2 am sorry.

3 A. What was your question again?

4 Q. Did you hear about difficulties in commun-  
5 icating between ships and shore near the Quebec Bridge?

6 A. Not in any detail. I have heard a couple  
7 of times verbally there have been difficulties yes.

8 Q. Would you be in a position to state what  
9 might be the cause of these various difficulties?

10 A. V.H.F. communication would not be affected  
11 too much, but high frequency would be affected by the  
12 mass of metal there. This could be maybe the basis for  
13 study.

14 Q. Could it be also that the power lines in  
15 the area would have an effect on the communications?

16 A. On H.F. they do have an effect, yes.

17 Q. Did you make any study or survey of this  
18 particular area?

19 A. We just, three years ago when we had the  
20 ice breaker, we went to Montreal right through to the  
21 Gulf of St. Lawrence and I don't have this data with me,  
22 but it was considered satisfactory in the area.

23 Q. That is to say along the river, perhaps  
24 a little weakness in the --

25 A. Satisfactory for the facilities we have.

26 Q. For the facilities you have?

27 A. Yes.

28 Q. And you did not make any survey on the  
29 Saguenay at the same time?

30 A. No, we did not, but there was so much







1 verbal discussion about moving from St. Michel to Dorval  
2 and I just came along in the middle of it and you can't  
3 start doing anything unless you have the evidence so we  
4 went out to get the evidence first and we found that the  
5 evidence against it was not there except in a few cases  
6 where the gap had to be filled.

7 Q. To your knowledge no survey was ever made  
8 on the Saguenay River?

9 A. To my knowledge, no. There might have  
10 been one prior to June, 1960.

11 Q. But you never heard of it?

12 A. No, I didn't. No, I didn't find it in  
13 the records.

14 Q. This new station at Riviere du Loup, when  
15 did you expect it to go into operation?

16 A. It's down for the next fiscal year.

17 Q. That would be 1964/65?

18 A. 1964/65 we will be picking out a site  
19 and then 1965/66 it would be in operation.

20 Q. We have a letter here that in 1961 this  
21 matter was decided in 1961 or before 1961? Would you  
22 know approximately when the matter was decided?

23 A. No, it would be about this period. As to  
24 what year it would be --

25 Q. I am asking when it was decided to build  
26 a station at Riviere du Loup? Was it decided when you  
27 arrived?

28 A. Shortly after I arrived. As a result,  
29 I think, partly of the survey we made.

30 Q. What survey was made, when?





1 A. September, October 1960.

2 Q. Thank you Mr. Gingras.

3 THE CHAIRMAN: Any further questions of  
4 the witness?

5 MR. JACQUES: Thank you sir. My lord, I  
6 shall interrupt my evidence in order to allow Mr. Lalonde  
7 to put a few witnesses in the box concerning communication  
8 and the difficulties of communication.

9 MR. LALONDE: My lord, you will realize  
10 that this was not prepared evidence in the sense I did  
11 not know Mr. Gingras was coming here this morning and  
12 just happened to have two pilots in this hall who have  
13 experienced difficulty. With your permission, I would  
14 put them in the box on that basis and say that I did not  
15 select those particular two as being the two most obvious  
16 cases or as the only ones.

17 THE CHAIRMAN: That is all right, As far  
18 as they can give evidence, we are here for that.

19 MR. LALONDE: I mean to say there might  
20 be a lot of other cases and I might have to parade a  
21 whole lot of witnesses, eventually. These two are here  
22 and might be useful at this time. I might call Mr.  
23 Hamelin.

24 THE CHAIRMAN: You say the cross-examina-  
25 tion will have to be restricted only to the examination-  
26 in-chief.

27  
28 ORANCE HAMELIN, sworn

29 THE CHAIRMAN: I understand Mr. Hamelin is  
30 going to come back on the stand later on and give evidence







1 on other matters.

French 2 DIRECT EXAMINATION BY MR. LALONDE:

3 Q. Could you repeat your name?

4 A. Orance Hamelin.

5 Q. In what district are you a pilot?

6 A. In the Quebec-Montreal District.

7 Q. Have you piloted last week?

8 A. Yes.

9 Q. Were you on board the Carl Schneiderman?

10 A. Yes, Friday morning.

11 Q. Of last week?

12 A. Yes, on the 19th of July.

13 Q. Where did you board that ship?

14 A. Quebec, in front of the City of Quebec.

15 Q. And you went to Three Rivers?

16 A. Yes.

17 Q. Did you try to transmit certain messages  
18 between Quebec and Three Rivers?

19 A. Yes. I had to anchor at La Pointe Citroville  
20 probably around quarter to seven, 6:45 in the morning, in  
21 fog, very heavy fog. I anchored for two hours, two hours  
22 and fifteen, or two hours and twenty minutes. Around 9:15  
23 the fog cleared a bit and I tried to call Three Rivers, the  
24 radio station there, to tell them I was leaving anchor  
25 and going towards Three Rivers and I asked the Third  
26 Officer on the deck, and we were never able to have the  
27 communication. Therefore, I asked this officer to send  
28 a security call to all ships to inform them that we were  
29 leaving anchorage and we were up bound for Three Rivers.

30 Q. You say that you started your ship without





1 being able to inform the Three Rivers Station?

2 A. I had already sent the expected time of  
3 arrival for 7:59, this was in the morning, I thought I  
4 would be able to get there without being stopped by fog.  
5 Unfortunately it did not succeed. Therefore, I tried to  
6 correct my E.T.A. at Three Rivers and I was only able to  
7 do that 35 minutes before reaching Three Rivers.

ND  
French 9 Q. For how long did you try to give your  
10 approximate time of arrival?

11 A. Oh, about 50 minutes. You see this happened  
12 in the fog. There is only one operator at the time  
13 and he can't answer and we heard all the ships calling  
14 and we can't get any answer.

15 Q. How long did you have elapse between your  
16 security call and the first time you tried to transmit the  
17 message to the radio station?

18 A. I left anchorage at 9:15, 9:20 and I  
19 wasn't able to communicate with Three Rivers operator before  
20 10:00, 10:55. I was supposed to arrive at Three Rivers  
21 10:45.

22 Q. Can you tell the Commission why you had to  
23 have a security call? Did you think this was sufficiently  
24 important for you to send this message?

25 A. Yes, because there was fog and we gave  
26 the position we were anchored. It is important when we  
27 are in weather, when it clears up that we can proceed,  
28 to move again to let the radio station have the time when  
29 we leave anchorage.

30 Q. Why is this important?







1           A.       To help traffic because ships which are  
2 anchored and are waiting for the all-clear signal, if they  
3 hear the message transferred to the radio station they  
4 can realize that the weather is good, when we are leaving,  
5 at the place we are leaving anchor. This enables them  
6 to advance also. As we have already complained before  
7 many times, Three Rivers gives us dense fog and sometimes  
8 the temperature is improved for an hour and a half, but  
9 the operator has not received the order to change weather  
10 forecast so we have to reach each other this way. To get  
11 temperature and the time of departure from anchor.

12                   MR. LALONDE: Thank you Mr. Hamelin.

13                   THE CHAIRMAN: If I understand you, Mr.  
14 Hamelin, you had left Quebec and you had given your E.T.A.  
15 to Three Rivers at what point?

16                   THE WITNESS: Cape Laroche, around six  
17 o'clock, six-thirty in the morning. I had given the  
18 E.T.A., Three Rivers as being 7:50.

19                   THE CHAIRMAN: At a given moment you had to  
20 anchor?

21                   THE WITNESS: Yes at Citrouillee.

22                   THE CHAIRMAN: And then at that moment  
23 did you communicate with Three Rivers?

24                   THE WITNESS: Yes, I tried to get Three  
25 Rivers and to tell them I put anchor at Citrouille so  
26 there was nothing wrong.

27           Q.       Communication normal with Three Rivers?

28                   THE CHAIRMAN: Then about 2:20 you wanted  
29 to leave and reported your departure and you weren't  
30 able to reach the station?







1 THE WITNESS: Yes. At that time there were  
2 so many communications she was full up, all the ships were  
3 calling to give their position and their departure time,  
4 arrival time to their agents.

5 THE CHAIRMAN: You tried for how long?

6 THE WITNESS: Around 50 minutes.

7 THE CHAIRMAN: During that time you were  
8 going up to --

9 THE WITNESS: The Third Mate was trying  
10 to make the communication.

11 THE CHAIRMAN: I suppose also you were  
12 informing them that you were anchoring, trying to get a  
13 message transmitted?

14 THE WITNESS: Yes.

15 THE CHAIRMAN: It was not reported. You  
16 weren't covered as far as other ships were concerned.  
17 This might give a hazard to navigation.

18 BY MR. JACQUES:

19 Q. Mr. Hamelin, when did you reach Quebec?

20 A. Two hours and fifty-five minutes.

21 Q. You reported your E.T.A. to Three Rivers  
22 of 7:50. At what time did you send the E.T.A. message?

23 A. Around 6:30.

24 Q. You sent the E.T.A. three hours after having  
25 left Quebec. During the two and a half hours was there  
26 any fog?

27 A. Yes, there was some fog, but not enough  
28 to enable us to advance.

29 Q. When the fog came too thick you went to  
30 anchor?





1 A. That is right.

2 Q. And you tried to get in touch with Three  
3 Rivers Station?

4 A. Yes.

5 Q. How long did it take you to obtain the  
6 station?

7 A. Five, ten minutes.

8 Q. Was this done by radio-telephone?

9 A. Yes, sir.

10 Q. Did you use the radio?

11 A. No, the Third Mate did that.

12 Q. Now, how long did you stay at anchor?

13 A. From 6:50 to 9:10, 9:15.

14 Q. From 6:50 to 9:10, 9:15?

15 A. Yes.

16 Q. Before going out of the anchor you realized  
17 that the temperature was better?

18 A. Yes, sir.

19 Q. Did you try to contact Three Rivers Station  
20 before leaving anchor?

21 A. No. We waited until we had started  
22 moving, after having taken up the anchor.

23 Q. You tried to call Three Rivers by radio.

24 Did you try?

25 A. No, it was the Third Mate.

26 Q. The Third Mate tried for about 50 minutes?

27 A. Yes. He tried the first time on V.H.F.

28 and having not had any results -- they have got two types

29 of telephones so he tried the other phone and when I

30 say that he couldn't manage to get the message through







1 concerning our advance I told him to send a security call.

2 Q. You said that he tried for 50 minutes.

3 Will you please tell the Court what he did exactly when  
4 he used the radio telephone?

5 A. A ship wants to communicate with Three  
6 Rivers, giving its name.

7 Q. The Third Mate did this for 50 minutes  
8 for a definite period?

9 A. For 50 minutes.

10 Q. How many times did he call a station?

11 A. Five times, I would say. Once he had  
12 Three Rivers speaking. They were occupied talking to  
13 another ship. He held his post, to wait until Three Rivers  
14 had finished with the other ship, but he was unable to  
15 get the operator so he tried for about 50 minutes. He  
16 called the station say four or five times.

17 Q. It takes how long to say the name 4 or  
18 5 times?

19 A. I wouldn't know.

20 THE INTERPRETER: He repeats the name over  
21 and over again, six or seven times.

22 MR. JACQUES: About ten seconds? You  
23 did that several times during the 50 minutes? How many  
24 times?

25 A. I don't really know. When you are piloting  
26 a ship you can't time how many minutes the operator is  
27 using the phone, ten or fifteen times.

28 Q. During the 50 minutes without having gotten  
29 an answer. And now, during that time did he try to make  
30 other communication?





1 A. No, because in the place, where I say up  
2 there by Cape Laroche it isn't possible to communicate w  
3 with Quebec.

4 Q. During the 50 minutes aside from calls  
5 there was the radio-telephone used?

6 A. Ours, no, sir.

7 Q. Nobody called you on the radio-telephone?

8 A. No, sir.

9 Q. Except for calling Three Rivers did he  
10 try another station?

11 A. I told him to call Westcliffe Hall  
12 to ask permission to go through. We got an answer to  
13 that message.

14 Q. Was it on V.H.F.?

15 A. Yes, on V.H.F.

16 Q. So he changed from F.M. to V.H.F.?

17 A. He had tried the other equipment a couple of  
18 times and he went back to V.H.F.

19 Q. So during the fifty minutes he used V.H.F.?

20 A. Well that is the equipment on which you have  
21 less static.

22 Q. V.H.F.?

23 A. Yes. Then you communicated with Westcliffe  
24 Hall on V.H.F.?

25 A. Yes.

26 Q. With the wireless when did you next send  
27 a message saying you were going?

28 A. We didn't use it.

29 Q. To send a message to the other ships? Was  
30 that radio-telephone?





1 A. Yes, it was radio-telephone, V.K.B.

2 Three Rivers.

3 Q. Is that your security message saying you  
4 were anchored, that you were leaving?

5 A. No, that is the Third Mate who sent the  
6 message by telephone to all ships.

7 Q. By radio-telephone to all ships, was that  
8 V.H.F.?

9 A. Yes it was V.H.F. He used both sets.

10 Q. During that time what were you doing?

11 A. Well I was piloting the ship.

12 Q. Where is the radio-telephone on the Carl  
13 Schneiderman?

14 A. One is on the port side and the V.H.F.  
15 is near the chart room on the right.

16 Q. You were in the wheel room?

17 A. Yes, I was.

18 Q. You were there all the time?

19 A. Yes.

20 Q. You were watching the operations?

21 A. Yes.

22 THE CHAIRMAN: Before asking any more  
23 questions, we will adjourn to 2:30.

24

25 ---Luncheon Adjournment.

26

27

28

29

30







ND 1 ---Upon resuming.

2 MR. JACQUES: Because of the accident  
3 which took place recently the tug boats are busy and I  
4 request to interrupt the testimony of Mr. Hamelin to hear  
5 the testimony of the tug boat company. Mr. Thivierge.

6  
7 J. THIVIERGE, sworn

8 DIRECT EXAMINATION BY MR. JACQUES:

9 Q. Would you tell us your name and age?

10 A. J. Armand Thivierge, 54 years old.

11 Q. What is your occupation?

12 A. Navigator for the Davie Ship Building  
13 Company.

14 Q. Do you deal with the tugs of Davie Ship-  
15 building Company?

16 A. Yes.

17 Q. Would you tell the Commission how many  
18 tugs of Davie are available in the harbour here?

19 A. We have four.

20 Q. Could you briefly describe them, give their  
21 names and the power of each?

22 A. Well, I could introduce an extract of  
23 the books giving a description of these tugs. You will  
24 find it here.

25 Q. If it pleases the Commission I have here a  
26 notebook with the following information, telephone number,  
27 Davie Shipbuilding Limited, radio-telephone number and  
28 the name of each tug with the power of it and signals  
29 for tugs which I would like to produce as Exhibit 574.

30





1 ---EXHIBIT NO. 574: Notebook containing information on  
2 tugs.

3 MR. JACQUES: Mr. Thivierge, are you aware  
4 of the procedure which is followed when ships need tugs  
5 in the harbour?

6 A. Yes, sir.

7 Q. Could you please describe this principle?

8 A. Well, normally the agent calls Davie Ship-  
9 building to ask for either one or two tugs according to  
10 his needs. Now, we also proceed to the radio-telephone  
11 on the number of frequencies.

12 Q. Are all your tugs equipped with radios?

13 A. Yes, certainly.

14 Q. Do they use radio-telephones for their  
15 manoeuvres?

16 A. Yes, they manoeuvre with the radio.

17 Q. Manoeuvre with the radio?

18 A. Yes.

19 Q. With a pilot?

20 A. Well, the tugs -- I don't know if there  
21 is a radio-telephone aboard the ships. We have a radio-  
22 telephone on board ours.

23 Q. Is the radio-telephone used sometimes for  
24 manoeuvring in the harbour, I mean is this radio-telephone  
25 used for the pilots to give orders to the tug boats?

26 A. Yes, it is used very often for manoeuvres.

27 Q. Do you have any comments on the use of  
28 radio-telephones by the pilots?

29 A. Most of them have said it was satisfactory.

30 Q. Did you have any complaints?







1 A. Well, no, we couldn't say there has been  
2 complaints. In the beginning when we started operating  
3 with these radio-telephones before we became used to them  
4 there might have been some hesitation in the use of this  
5 radio-telephone, but afterwards everything went along  
6 fine.

7 Q. Does it sometimes happen that there might  
8 be some place, some space where communication doesn't  
9 take place between the bridge of the ship and the tug?

10 A. Not that I know of.

11 Q. Nothing of that kind has been reported  
12 to you?

13 A. No.

14 Q. Since how long have you been using this  
15 radio-telephone?

16 A. Oh, since about 5 or 6 years.

17 Q. Five or six years? And now, as for the use  
18 of your tugs, does it happen sometimes that a pilot  
19 orders a tug?

20 A. I don't know.

21 Q. Does it happen sometimes a pilot would  
22 call to ask for a tug?

23 A. Yes, certainly.

24 Q. Does it happen often?

25 A. No, it is not quite frequent. I wouldn't  
26 say it happens too often. In most of the cases the ship  
27 agents ask for the tugs.

28 Q. When the pilot asks for a tug do you  
29 send it?

30 A. Certainly.





1 Q. Do the agents groups dislike that pro-  
2 cedure?

3 A. Not that I know of. They seem to be sat-  
4 isfied.

5 Q. There have never been any complaints on  
6 the fact that the tug has been ordered by the pilot?

7 A. It is possible it might have happened, but  
8 I am captain of the tug. I am not always in the office.  
9 It might have happened.

10 Q. Now, as Captain of the tug do you have  
11 any complaints from pilots in the way the tugs were  
12 manoeuvred?

13 A. No, not to my knowledge, everything goes  
14 along quite normally, quite smoothly.

15 Q. Who says the way to manoeuvre the tugs  
16 in the harbour?

17 A. Well, it is the pilots who ask, before the  
18 work is done, he is going to indicate to us which way  
19 he wants to come in or come out and we follow his instruc-  
20 tions.

21 Q. Here in the Harbour of Quebec tugs are  
22 not against the ship, you have a line  
23 between the tug and the ship and the tug is quite a way  
24 from the ship, is that right?

25 A. Yes. Well, since sometime we have been  
26 trying to use the pushing method and it is working quite  
27 well.

28 Q. Who suggested the method of pushing?

29 A. Well, it is difficult to say.

30 Q. The pilots have suggested it?





1 A. Yes. It seems to work quite well.

2 Q. Since when has this pushing method been  
3 utilized here?

4 A. Well, since this year.

5 Q. Do you know if there is any dissatisfaction  
6 in the pilots' office on this question?

7 A. No, not at all.

8 Q. Did you receive any complaints concerning  
9 the system of signals from the ship to the tug?

10 A. Frankly no. I think that frankly it works  
11 quite well as far as the signals are concerned, everything  
12 is going quite well.

13 Q. How long has this new signal been used?

14 A. About a month and a half I would say.

15 Q. Who first started using this new method?

16 A. I think the Association Office in connection  
17 with the pilots and the tugs.

18 Q. Have the pilots been consulted on this  
19 question?

20 A. Yes, they have been consulted. Frankly  
21 we called a meeting with the pilots in April and that is  
22 why the question was discussed.

23 Q. Who called that meeting?

24 A. Mr. Emile, myself, my boss and the  
25 executive officers of the Pilots' Association.

26 Q. Was there anything else that was discussed  
27 during that meeting?

28 A. No. We discussed the question of signals  
29 and this was the meeting.

30 Q. I think your company is the only company







1 which has tugs in Quebec?

2 A. Yes, the only one.

3 MR. JACQUES: Thank you, sir.

4

5 CROSS-EXAMINATION BY MR. LALONDE:

6 Q. Captain Thivierge, you have mentioned a  
7 meeting which took place last April with the pilots. You  
8 have referred to a meeting between representatives of  
9 the tugs and you said the executive board. You don't  
10 refer to the executive board as tug boat company, you mean  
11 the executive board of the Pilots of St. Pierre?

12 A. Yes.

13 Q. Were representatives of the Quebec pilots  
14 at that meeting?

15 A. Yes.

16 Q. Weren't there also some representatives  
17 of the pilotage districts of Quebec to Montreal there?

18 A. Yes.

19 Q. Wasn't there also several representatives  
20 of the Department of Transport?

21 A. Yes, there were some.

22 Q. Was this meeting called by the pilots or  
23 by your company?

24 A. I don't know. I know it is my company  
25 which told me to go there.

26 Q. Now, at this meeting there was discussed  
27 the question of signals. Didn't you also discuss during  
28 that meeting the changes to be brought to the way  
29 in which your tugs would manoeuvre when they should push  
30 instead of pulling?





1 A. Yes, that was also discussed.

2 Q. Was it not during that meeting that it was  
3 decided to use the new method of pushing?

4 A. Yes, that is right.

5 Q. And this new method as you said is quite  
6 satisfactory?

7 A. I think it is.

8 Q. What were the main reasons for changing  
9 to pushing?

10 A. Well, you have the advantage that you  
11 don't have the danger of breaking a line and from manoeuvring  
12 in the harbour it is just as good, if not better as pulling  
13 the vessel with a line.

14 Q. If I understood properly the pilots asked  
15 for the change in the method?

16 A. Yes, the pilots.

17 Q. Did it initially come from the pilots?

18 A. Well, frankly, it would be difficult for  
19 me to answer this question.

20 Q. Do your tugs belong to the Association?

21 A. That is right.

22 Q. Would you tell me what is the cost to  
23 have a tug in the harbour of Quebec?

24 A. I don't know. I am captain aboard the  
25 tug.

26 Q. You don't have the scale with you?

27 A. Yes, but my boss is here and he can  
28 answer that question.

29 MR. LALONDE: All right.

30







1 CROSS-EXAMINATION BY MR. LANGLOIS:

2 Q. Captain, when you are talking about radio-  
3 telephone equipment, are you talking about walkie-talkies  
4 or normal...

5 A. No, I am talking about stationary equipment  
6 which is aboard the ship.

7 Q. Do you use walkie-talkies in Quebec now?

8 A. No, we don't have those.

9 Q. Now, are your tugs equipped with two kinds  
10 of radio-telephones, F.M. and V.H.F.?

11 A. Yes, you are right, F.M. and V.H.F.

12 Q. They have both? Don't you have already  
13 experiences where you have found a lot of interference  
14 when your ship was coming near a ship much larger than  
15 yours?

16 A. Yes, sometimes when you are very close to  
17 a large ship the reception is not as good but we can  
18 always understand each other talk on the radio-  
19 telephone.

20 Q. Does it not happen sometimes that you have  
21 to use your foghorn to give orders?

22 A. Yes, this is right, but I ignore this.  
23 I am not a radio technician, but I have been told that  
24 sometimes they take off a switch.

25 ---  
26  
27  
28  
29  
30





French

1 Q. For the aerial, yes, you must take off  
2 the switch for the aerial. You mean when you are near a  
3 large ship, you should take off the aerial, disconnect  
4 the aerial?

5 A. Not every case.

6 Q. Sometimes you must transmit the orders  
7 and receive the orders, have communication between the  
8 Captain and the tug and the pilot with microphone, by  
9 voice?

10 A. This is very rare. Since we have those  
11 kind of radios, it still happens but almost never.

12 Q. But the signals with the fog horn --

13 A. Yes, this works very well.

14

15 CROSS-EXAMINATION BY MR. BRISSET:

16 Q. Captain, is it a general rule to use  
17 radio telephone now rather than horn signals?

18 A. Well that is in the discretion of the  
19 pilot. He can use the horn or if he prefers to use the  
20 radio telephone, this is all right. Both work very well.

21 Q. And as a general rule which system is  
22 used more often?

23 A. Well some use signals and some use the  
24 radio telephone.

25 Q. So it is left to the discretion of the  
26 pilots?

27 A. Yes.

28 Q. And your captains act accordingly?

29 A. Yes, this is right.

30 Q. How many captains do you have on duty on





1 your tugs?

2 A. Three captains. We have three.

3 Q. From each tug?

4 A. No, we have three. Right now we have  
5 two tugs which are on duty and we have one spare captain  
6 and we change every 24 hours.

7 Q. Do you find, according to your experience,  
8 that generally the ships are equipped with radio-telephone.

9 A. Almost all the ships have the same radio-  
10 telephone equipment as we have.

11 Q. So this system is satisfactory according  
12 to you?

13 A. According to me, yes.

14 Q. Is it or is it not the general rule for  
15 ships which come to pier here in Quebec to use a tug?

16 A. Yes, as much as possible for safety reasons

17 Q. In most of the cases the ships will use  
18 tugs?

19 A. Not all of them but most of them or all  
20 the very large ships, yes.

21 Q. Thank you.

22 MR. JACQUES: Thank you sir. Call Mr.  
23 Lemieux.

24

25 YVES LEMIEUX, sworn

26 DIRECT EXAMINATION BY MR. JACQUES:

27 Q. Would you sit down and give us your name,  
28 your christian name?

29 A. Yves Lemieux.

30 Q. Age?







1 A. 30 years old.

2 Q. Profession?

3 A. Supervisor of Tugs for the Davie Ship-  
4 building.

5 Q. About how long?

6 A. About one year.

7 Q. Can you tell the Commission the rates which  
8 are charged for the use of such tugs?

9 A. This all depends from the place where the  
10 movage is done.

11 Q. Do you have a rate schedule with you?

12 A. Yes, I have it.

13 Q. I would like to produce as Exhibit 575  
14 tug rates in the Harbour of Quebec, effective April 1st,  
15 1962.

16  
17 ---EXHIBIT NO. 575: Tug rates in the Harbour of Quebec,  
18 effective April 1st, 1962.

19 Q. Since you have been acting as Supervisor  
20 Mr. Lemieux have you received any complaints either from  
21 the pilots, ship owners or tug service?

22 A. No. Sometimes we have some small incidents.  
23 Right now we have only the two tugs which are working  
24 because the service does not require four tugs at the  
25 present time.

26 Sometimes there might be 5, 10, 15 minutes  
27 late to get to a ship so it might happen that the agent  
28 might call and say well how come my ship hasn't left  
29 yet and the tug hasn't arrived? Well, this is kind of  
30 a small incident, but nothing serious.





1 Q. Did you have any complaints on the way that  
2 your tugs manoeuvre with those ships?

3 A. No. I have not received any complaints.  
4 Sometimes we have some incidents. That is quite natural.

5 Q. What kind of incidents?

6 A. It has happened sometimes the ship might  
7 touch the tug but it is difficult to find out who is  
8 responsible, who is at fault. We have certain conditions  
9 in our contract saying that tugs are not responsible if  
10 the lines break.

11 Q. Do you have those conditions with you?

12 A. No. We find those on the bills.

13 Q. Could you please send a copy to the  
14 Commission? Could you produce it tomorrow and this will  
15 be produced as Exhibit 576, the conditions of the contracts  
16 for towing within the Harbour of Quebec.

17 Now you have heard the evidence of Captain  
18 Thivierger on the change in the question of manoeuvring  
19 in the harbour. Did you take part in the meeting which  
20 took place between the pilots and your company and rep-  
21 resentatives of the Department?

22 A. Yes, I was present there.

23 Q. You were present at this conference? You  
24 remember who had called this conference?

25 A. Well Mr. Rumeau, the President of the Pilot's  
26 Corporation spoke to me on the 'phone. We came to the  
27 conclusion that it might be necessary to have a meeting  
28 between Captain Thivierger, myself and Mr. Quinn and  
29 representatives of the Central St. Lawrence Pilot's  
30 Association.







1 Q. So it was the pilots who took the initiative  
2 of calling this conference?

3 A. The meeting took place on St. Pierre Street  
4 at the pilots' office.

5 Q. At the request of the pilots?

6 A. I said we were discussing the thing over  
7 the phone and we both came to the conclusion it would be  
8 necessary to have such a meeting.

9 Q. Now the advantages and the disadvantages  
10 of each system, have those advantages and dis-  
11 advantages been discussed during that meeting?

12 A. Yes. According to me, I have seen manoeuvres  
13 several times and both systems are quite good. There  
14 could be some interference, and you might not understand  
15 proper signals, then you can use the ship whistle, so  
16 you can use either one.

17 Q. Now have you been made aware of the  
18 difficulties in communication through radio telephone?

19 A. Not personally.

20 Q. Have you been personally aboard a tug when  
21 for certain manoeuvres, they were using radio-telephone?

22 A. Yes, I was on board and everything went  
23 along fine.

24 Q. Did you hear any interference on the radio  
25 telephone?

26 A. Not when I was on board.

27 Q. When you went on board the tugs was it  
28 to manoeuvre large ships?

29 A. Yes, ocean-going ships.

30 Q. Was the tug against the ship? Was it a





1 pushing method?

2 A. Most of the time it was with a line.

3 Q. So you were quite far from the ship?

4 A. Yes. Sometimes the tug is going from left  
5 to right so we come closer to the ship. This gives us a  
6 good idea.

7 Q. Now to come back to the question of how  
8 tugs are tied against the ship, has this problem been  
9 studied by your company before the meeting with the  
10 pilots?

11 A. You mean the method of tying the tug to  
12 the ship and having the tug push the ship?

13 Q. Yes?

14 A. I remember that during the meeting some  
15 pilots said that they preferred this method so the  
16 attitude which we took was that the pilots who would  
17 prefer this method, well let them do it that way. The  
18 tugs are ready -- use any method. It's according to the  
19 pilot. If the pilot thinks that it is better this way,  
20 he is the boss, so the tug will do that.

21 Q. Now before that meeting, was there any  
22 discussion with the way of tying the lines from ship to  
23 tug?

24 A. Not to my knowledge. I have been in  
25 charge only for a year. Since I have been here this  
26 was the first time I had any occasion of discussing such  
27 a thing with the pilots.

28 Q. Now in another field, Captain Thivierge  
29 stated that agents were asking for tugs whenever a ship  
30 needed a tug, and he also stated that at times pilots were







1 asking for tugs. Did it ever happen to you?

2 A. Well it's very rare because most of the time  
3 I would say that 95 per cent of the time the agent  
4 communicates with the ship and the ship indicates he  
5 needs either one or two tugs and in turn they phone us  
6 and the two tugs come to meet the ship.

7 Q. Does it ever happen that during the night-  
8 time a vessel will come in one hour in advance of notice,  
9 or before the expected time?

10 A. Now we they pass in front of the Canada  
11 Steamship Line where our tugs are. He uses ship whistle,  
12 call me a tug boat. It is very rare.

13 Q. But the pilots tell you he needs a tug  
14 boat for his ship?

15 A. It happens at times that the vessel --

16 Q. I am not talking about the boat, I am  
17 talking about the pilot?

18 A. Well this is hard enough to determine  
19 because it's the vessel that gives us the signal. We  
20 don't know from whom it comes. It happened to us this  
21 afternoon, so most of the time I don't know if it's the  
22 ship's master or the captain who is asking for the tug  
23 boat. I only know that he needs a tug boat, and that  
24 is all.

25 Q. Now following the requests that have been  
26 made by radio-telephone or through the whistles, did  
27 you ever have any difficulty with this tugging?

28 A. Well in the past year we had no trouble  
29 whatsoever in collecting our bills.

30 Q. It never happened, for example, that some-







body might have told you we never ordered any tug boat?

A. No, not ever since I have occupied this position.

Q. Thank you.

CROSS-EXAMINATION BY MR. LALONDE:

Q. Was there any request to you to use a portable walkie-talkie type of radio aboard your tug boats?

A. If I remember correctly I think that at the meeting this was raised but at the present time we already have two radio systems. I don't see why a third system would be useful.

Q. So you did not study that any further?

A. Well due to the fact that we already have two different systems at our disposal, we are protected enough. We have a third system, if we include the ship whistle. This is another way of communication.

Q. Don't you consider it would be an advantage to replace the two systems you already have at your disposal with a walkie-talkie system?

A. I am not a technician myself but I know that walkie-talkie can never cover the same distance that a medium range radio or V.H.F. can.

Q. Now you mentioned that you have a certain number of tug boats on duty at the present time. Do you have some tug boats working during the winter season?

A. Yes. Last year we operated until January 10th for the regular season after which, around February we put two tug boats in operation because of the vessel that had been delayed in the harbour for alterations and





1 the regular season this year started again on March 28th.

2 Q. You mean the two tug boats from a date  
3 starting in February until the end of March?

4 A. No. They operated ten days then in February  
5 they operated for ten days.

6 Q. I understand that a certain number of  
7 vessels go up stream to Quebec during the winter season  
8 at different periods of time. Do they have one or two  
9 tug boats at their disposal during that period of time?

10 A. Well this varies, very seldom use tug  
11 boats during the summer season. They do not use, or do  
12 not avail themselves of tug boats. The same thing applies  
13 to winter time.

14 Q. Do you have some tug boats available  
15 during the winter season?

16 A. Well the ship would tell us in advance  
17 when they have the crew, and so forth.

18 Q. How much notice do you ask in that  
19 particular case?

20 A. Well 12 to 15 hours.

21 Q. Is there a special rate during the season  
22 of winter?

23 A. Yes.

24 Q. Is it shown in the exhibit that has been  
25 filed?

26 A. No, but whenever we introduce a special  
27 rate, we send a letter to the agent.

28 Q. As the special rate is not shown in  
29 Exhibit 575, could you please give us the nature of this  
30 special rate approximately in the winter time?







1 A. Well it's 25 per cent.

2 Q. So you would have a surcharge of 25 per  
3 cent for tugging operations during the winter season?  
4 What do you mean by winter season?

5 A. Well last year it started on December 18th,  
6 or thereabouts.

7 Q. This special rate continues until what  
8 date?

9 A. They were on until the end of February  
10 and in March the regular rates were implemented.

11 Q. Thank you.

12

13 CROSS-EXAMINATION BY MR. LANGLOIS:

14 Q. Mr. Lemieux, I have before me Exhibit 574  
15 which you have filed and I notice that the card is an  
16 exhibit of Davie Shipbuilding and members of the Eastern  
17 Canadian Tug Boat Association. Am I to understand that  
18 your contracts are governed by the pilots of that  
19 Association?

20 A. Well I cannot answer that question. I  
21 couldn't tell you.

22 Q. Thank you.

23 THE CHAIRMAN: Any questions Mr. Mahoney?

24 MR. MAHONEY: No my lord.

25 THE CHAIRMAN: Any questions Mr. Brisset?

26 MR. BRISSET: No sir.

27 french MR. JACQUES: May the witnesses be excused  
28 my lord and go back to work?

29 THE CHAIRMAN: Yes.

30 french

RECALL MR. HAMELIN

EXAMINATION BY MR. JACQUES





1 Q. Now sir could you please tell the Commission  
2 what distance you have gone through between the moment  
3 you have left anchor and the moment at which you have  
4 finally got contact with the Three Rivers Radio Station?

5 A. Well I would say around 8 miles, approximately

6 Q. In those 8 miles have you made a note of  
7 the conditions? Was it in the channel which was framed  
8 by buoys, or was it in an open channel?

9 A. Well it was in a channel with not too many  
10 buoys and the weather conditions were improving all the  
11 time.

12 Q. Your weather conditions were improving  
13 and they allowed you to leave?

14 A. Well I didn't leave at full speed, full  
15 speed ahead at first but the ship master was with me on  
16 the bridge and at Champlain you could go full speed ahead,  
17 the weather being improved enough for that.

18 Q. Now were you, as a pilot, aware of the  
19 position of the other vessels anchored up stream?

20 A. Yes. Three Rivers, this is an additional  
21 service, as soon as I gave my E.T.A., Three Rivers for  
22 750, V.B.K. Station at Three Rivers phoned me back to tell  
23 me the weather at the present time. There was heavy fog  
24 in Three Rivers and they asked me in Three Rivers if I  
25 was maintaining my E.T.A. I said yes with the weather  
26 that I have here locally, and later on, about five minutes  
27 or ten minutes at the most, the operator phoned me  
28 back again to tell me that McCormick was anchored in  
29 Point Bigot in heavy fog in the centre of the channel.

30 Q. Now according to your knowledge were







1 there any other ships anchored in the channel up stream?

2 A. Yes. There was one in Three Rivers and  
3 one at Lake St. Peter and I had heard these reports through  
4 our .B.K., Three Rivers Radio Station.

5 Q. Now they communicated directly and specially  
6 with you to give you that information?

7 A. No. We receive every hour this special  
8 service every hour, the weather is given and the position  
9 of ships anchored on account of fog.

10 Q. Now in the tug boats in which you travel,  
11 which are equipped with radio-telephone is a loud speaker  
12 system in the wheelhouse?

13 A. Generally speaking to-day all the vessels  
14 going higher than Montreal are equipped with loud speakers  
15 in the wheelhouse.

16 Q. And the others?

17 A. The others usually have in the chart room.

18 Q. Now on vessels where there is no radio-  
19 telephone in the wheelhouse, when you are expecting  
20 messages, what kind of procedure do you have to follow in  
21 those cases?

22 A. In certain vessels, you cannot have in  
23 a Greek vessel, it's too bad but we have no information.  
24 We have no operator to transmit so no information.

25 Q. I am sorry, I am perhaps digressing slightly  
26 and that is why I am stopping now.

27 CROSS-EXAMINATION BY MR. LANGLOIS:

ench 28 Q. Mr. Hamelin, in order to clarify your evidence,  
29 you have stated what you have on board that ship, a V.H.F.  
30 set and F.M. set?







- 1 A. Radio-telephone.
- 2 Q. Are those two sets in operation simultaneously
- 3 A. Yes.
- 4 Q. So you call the Three Rivers on either one,
- 5 you could hear the answer on either one?
- 6 A. Yes.
- 7 Q. There was no interruption in reception?
- 8 A. No.
- 9 Q. Thank you.

glish 10 CROSS-EXAMINATION BY MR. MAHONEY:

- 11 Q. Just to clarify a point that you raised
- 12 a moment ago, I think you told my friend, Mr. Jacques,
- 13 that the station at Three Rivers was in touch with your
- 14 ship, is that right, before you entered the fog?
- 15 A. Yes, that is correct sir. When I did
- 16 send my E.T.A. for the first time I was in touch with him
- 17 about 6:30 in the morning and he called me back, may
- 18 have been 10 minutes later to inform me that it was
- 19 dense fog at Three Rivers.
- 20 Q. And that was a special call to your ship,
- 21 not the regular call?
- 22 A. No, he called.
- 23 Q. Is that often the case? Do they keep close
- 24 touch with individual ships in cases such as that?
- 25 A. Generally they are very obliging sir
- 26 whenever they can. They try to help as much as possible.
- 27 Q. You had not asked him to call you back?
- 28 At a certain time?
- 29 A. No, I did not.
- 30 Q. He did this on his own?





1 A. Correct.

2 Q. But then later when you were anchored in  
3 the fog, you were not able to get in touch?

4 A. Well not -- I didn't try. We managed to get  
5 in touch with him when we did enter but when it came time  
6 to heave anchor and proceed, then we couldn't get in  
7 touch with him, due to the, I guess, so many ships starting  
8 to move and calling.

9 Q. Now how long would you anchor in the fog  
10 before the ship attempted to get in touch with Three  
11 Rivers?

12 A. Two hours, two hours and fifteen minutes  
13 probably, anchored.

14 THE CHAIRMAN: From what I gathered, as  
15 soon as you dropped the anchor, you reported to Three  
16 Rivers and this call went through.

17 Q. Yes my lord this call went through but  
18 then there was a period of two hours and fifteen minutes  
19 before you decided to proceed?

20 A. Yes, when the weather cleared.

21 Q. And when you decided to proceed you were  
22 again attempting to get in touch with Three Rivers?

23 A. That is generally the proceeding, you see.  
24 As soon as we up anchor we inform the station that we  
25 have left the anchorage and we are upbound or downbound,  
26 whatever the case may be.

27 Q. Do you inform the station when you have  
28 lifted the anchorage or before you lift the anchorage?

29 A. When the anchor is up.

30 Q. Was that what you did on Friday evening?







1 A. Yes, that is correct.

2 Q. During the 50 minutes that you were speaking  
3 of this morning when the Third Mate was attempting to get  
4 in touch with Three River radio, the ship was actually  
5 proceeding?

6 A. Correct.

7 Q. And what you are saying is that the ship  
8 was proceeding but the coast station didn't know that it  
9 was proceeding?

10 A. That is correct. We couldn't inform them.

11 Q. Now during that period of time I think  
12 Mr. Jacques asked you this question this morning, but I  
13 was not clear as to the answer, the Third Mate attempted  
14 to get in touch with Three Rivers. Could you say how  
15 often during that period of time of 50 minutes he made  
16 an attempt?

17 A. Pretty hard to tell exactly but I am  
18 quite sure over 10, 12 occasions at least.

19 Q. And during that time I think you said that  
20 there was a loudspeaker in the wheelhouse. You could hear  
21 other conversations could you?

22 A. Yes, that is correct.

23 Q. I think you said also this morning Mr.  
24 Hamelin that you felt that there was only one operator on  
25 duty at Three Rivers? Is that correct?

26 A. I am quite sure, I am quite sure otherwise  
27 we would get an answer much sooner than that.

28 Q. Tell me, I wasn't too clear from the  
29 evidence of the other witnesses this morning, and perhaps  
30 I can get this from you, Mr. Hamelin, no matter how many





1 operators might be on duty, if there is very heavy  
2 traffic could you get through in any event?

3 A. Well I am saying that there must be only  
4 one operator on duty because sometimes we call and he  
5 will say well standby, I am busy on channel two with  
6 the third telephone, you see. Someone is speaking on the  
7 telephone, you see.

8 Q. How many channels have you besides the  
9 calling frequency on which you can speak?

10 A. I was just thinking of that before you  
11 asked the question. I am not positive about this. I  
12 wouldn't like to answer the question. I will probably  
13 be wrong.

14 Q. On the answer to that would determine  
15 whether there would be any use in having more operators,  
16 isn't that right?

17 A. Yes, but you see if the wireless operator,  
18 if the radio station operator like V.B.K. is busy on  
19 the telegraph, on the wireless telegraph, if you had  
20 another operator that could use the radio telephone, two  
21 people could be using the same station.

22 Q. Provided the channels were clear?

23 A. Well they are not using the channel then.

24 Q. If other ships were speaking, if the  
25 traffic is heavy, it is possible that all of the useable  
26 channels would be in use?

27 A. Yes, it is possible of course.

28 Q. But you cannot tell me how many channels  
29 may be in use at any one time?

30 A. No, I am not able to.







1 Q. Thank you.

French2

3 CROSS-EXAMINATION BY MR. LANGLOIS:

4 Q. Mr. Hamelin in order to clarify another part  
5 of your evidence, this morning we mentioned a kind of  
6 security message which was sent. Could you please explain  
7 to the Commission how you send such a message?

8 A. Well the Third Mate sent it, and in such a  
9 case the Third Mate opens the phone and says, and we  
10 will repeat the words "security," perhaps twice or three  
11 times and then he is going to give the name of the ship  
12 and he is going to say that he has lifted anchor there,  
13 at such a position, and he is proceeding either up stream  
14 or down stream and he gives the exact hour of the message.

15 Q. Is it not true that such safety messages  
16 are transmitted on either channel 1, which is the Inter-  
17 national channel 2182 and this is to all vessels --

18 A. Yes, this is a fact.

19 MR. JACQUES: Mr. Wells please.

20 MR. LALONDE: I understood I was to present  
21 two pilots and we would proceed with the evidence after-  
22 wards.

23 THE CHAIRMAN: Mr. Wells.

24 MR. LALONDE: Pilot Pouliot.

25 MR. JACQUES: Before we proceed with the  
26 examination of this witness I should like to bring to the  
27 Commission's attention a publication filed in Halifax,  
28 radio aids to marine navigation, Volume 8, March 1st,  
29 1963, No. 1E. In this publication you will find explanation  
30 of the various expressions which we used as "Mayday",  
distress communication, emergency communication and safety







communications. The procedure is described and also the classification of each of these messages are described.

THE CHAIRMAN: Was it filed?

MR. JACQUES: It was filed, but I don't recall the number.

MR. LANGLOIS: I think it was in Halifax.

MR. LALONDE: Pilot Pouliot, please.

EDMOND POULIOT, sworn

DIRECT EXAMINATION BY MR. LALONDE:

Q. Could you please repeat your name?

A. Edmond Pouliot.

Q. How old are you?

A. I am 34 years old.

Q. You are a pilot in the Quebec District?

A. Quebec District and Les Escoumains.

Q. Did you pilot the Sylvia vessel in the course of June, 1963?

A. Yes.

Q. From where to where?

A. From Port Alfred to Quebec.

Q. Could you tell us approximately what date you piloted that ship?

A. Well, we left at Port Alfred on June 5th at noon, approximately, and we reached Quebec at 2:05 on June 6th, in the morning, A.M.

Q. So the trip from Port Alfred to Quebec lasted approximately 14 hours?

A. Yes, approximately.

Q. Is the long duration a normal duration of such a trip or did you drop anchor?





1 A. Well, during the trip I had to anchor in  
2 Ha Ha Bay and try and pick up the Sylvia anchor.  
3 I was unable to so I left around 15 hours, or 15.30.

4 Q. Did you try during the trip to contact the  
5 Quebec radio station or another station relating to the  
6 manoeuvring of your ship?

7 A. Yes, I tried to contact Quebec around  
8 Cape Brule.

9 Q. How far from Quebec is Cape Brule?

10 A. Around 33 to 35 miles.

11 Q. What time was this approximately?

12 A. Well, it was around midnight or 11:30,  
13 or midnight.

14 Q. Why were you trying to contact the Quebec  
15 radio station?

16 A. Well, in order to send my E.T.A. to the  
17 Pilot Office in order to get a change of pilot.

18 Q. Your vessel was going up stream further  
19 than Quebec?

20 A. Yes, it was going to Montreal.

21 Q. So you tried to send your E.T.A. to  
22 the radio station so it could transmit it to the pilotage  
23 station so you could have a changeover of pilots for  
24 the trip up to Three Rivers?

25 A. Yes.

26 Q. Did you succeed getting through with the  
27 radio station?

28 A. No, I had a good deal of trouble.

29 Q. When did you finally contact Quebec Radio  
30 Station?







1 A. Well, about 40 minutes before arriving  
2 at Quebec, between St. Jean and Quebec.

3 Q. What time was this, approximately?

4 A. Well, it was 1:15 or 1:10.

5 Q. You tried before 1:30, midnight and one  
6 and one-fifteen in order to get through but you didn't  
7 succeed during that period of time?

8 A. No.

9 Q. Were you trying yourself to contact that  
10 radio station? They made no answer? Are you aware of  
11 these two phones, one was V.H.F.

12 A. One V.H.F. and one F.M.

13 Q. Did you try frequently to contract the  
14 radio station in the course of the period of time?

15 A. Perhaps once every five minutes, yes.

16 Q. So, how did you proceed, to your knowledge,  
17 repeating the number of the station?

18 A. Call signal of the Quebec station and the  
19 name of the ship, U.C.C. Quebec.

20 Q. Did you have an opportunity to find out  
21 whether your radio-telephone sets were in good working  
22 order?

23 A. Yes, they were in good working order be-  
24 cause I contacted Trans Canada, this is another ship that  
25 was going down stream, and the communication between both  
26 vessels was excellent.

27 Q. Did Trans Canada tell you it had heard  
28 you from a distance before you met with them?

29 A. Yes. I was answered from a very good  
30 distance before even meeting that ship, and even later on





1 I contacted with the Trans Canada Ship.

2 Q. Was there a pilot on board that ship?

3 A. Yes, Mr. Rousseau was there, the President  
4 of the Association was on board that ship.

5 Q. Did he say he had heard you before meeting  
6 you?

7 A. Yes, and he told me he himself had tried  
8 to talk to Quebec and he found that my call signal was  
9 very loud and good.

10 Q. When you finally got through to Quebec  
11 were there any comments made to the effect there might  
12 have been troubles on the radio station or something  
13 of that nature?

14 A. When I finally got through to Quebec the  
15 only thing that was told me, I was trying to get through,  
16 I gave him the message and the name of the ship and that  
17 was all.

18 Q. The radio operator didn't tell you he  
19 was trying to contact you for any length of time, no  
20 statement like that?

21 A. No.

22 MR. LALONDE: Thank you.

23

24 CROSS-EXAMINATION BY MR. LANGLOIS:

25 Q. Mr. Pouliot, I would simply like to ask  
26 you a question, in the course of the period in which you  
27 tried to get Quebec I take it it was on channel 1?

28 A. Yes.

29 Q. Did you know if there was some coming  
30 from Quebec on Channel 2 at the same time?







1 A. No, I didn't check that.

2 MR. LANGLOIS: Thank you.

3

4 CROSS-EXAMINATION BY MR. JACQUES:

5 Q. Mr. Pouliot you say that you tried to con-  
6 tact Quebec Radio Station between 11:30 and 1:00 a.m. or  
7 thereabouts?

8 A. Yes.

9 Q. How many times did you try?

10 A. Well, I said once every 5 minutes, every  
11 5 minutes I would send a signal.

12 Q. There were no answers?

13 A. No, none whatsoever.

14 Q. Aside from the Trans Canada Ship could you  
15 hear other conversations on the radio-telephone?

16 A. Well, I could hear conversations between  
17 different ships.

18 Q. But not with Quebec, you didn't hear  
19 Quebec at all?

20 A. No, not at all.

21 Q. When you finally succeeded in getting  
22 through at 1:00 a.m. or thereabouts did you tell the  
23 radio operator that you had been trying to contact that  
24 radio station for many hours?

25 A. No, I didn't see the use of that. At  
26 any rate I was going to Quebec that night and when we  
27 arrive at Quebec we had to give our full attention to  
28 what we are doing. We have to check lines and  
29 and so forth.

30 Q. What ship were you piloting?







- 1 A. It was a German ship.
- 2 Q. And the crew was German?
- 3 A. Yes.'
- 4 Q. And the mates were German?
- 5 A. Yes.
- 6 Q. Did the mates speak English?
- 7 A. Well, yes and no. That is one of the reasons  
8 for which I took the phone myself, that is why I called  
9 myself.
- 10 Q. Because the man on the bridge didn't speak  
11 good enough English according to your mind?
- 12 A. Well, let us say yes.
- 13 Q. Does it happen often that you have trouble  
14 talking with the Quebec Radio Station?
- 15 A. Well, it happens frequently enough.
- 16 Q. We had an example of such a thing in June.  
17 Ever since June 5th did you ever have any more trouble?
- 18 A. Last week I was going up stream with the  
19 Irving Glen and I can't say if my radio-telephone  
20 was in trouble or the Quebec Radio Station, but I was  
21 supposed to receive an order to go to Quebec but I never  
22 received that order, so I went to the Pilots' Office in  
23 Quebec and I went back on board the ship and took the  
24 ship.
- 25 Q. What was the date of the incident you  
26 gave?
- 27 A. I can't tell you the exact date right  
28 now. I would have to consult my files.
- 29 Q. Can you check the date and the hours  
30 during which you were on board the ship? Now we have





1 accounts of two incidents since June 5th. Before June  
2 5th did you have any such occurrence?

3 A. Well, I can't remember.

4 Q. Does that happen ever week?

5 A. It doesn't happen every week, but approx-  
6 imately...

7 Q. Once every fortnight?

8 A. I just couldn't tell you the exact figure.

9 Q. Perhaps you could indicate if it is some-  
10 thing that happens regularly, let us say, once a month?

11 A. According to my own experience I always  
12 notice that we have trouble contacting Quebec between  
13 1:00 a.m. until 5:00 a.m., the night shift, that is my  
14 personal experience.

15 Q. That is what we want to hear, your personal  
16 experience. According to your experience you have had  
17 trouble contacting Quebec between 1 and 5 in the morning.  
18 Did you ever submit a report to that effect?

19 A. No.

20 Q. During your meeting once a year?

21 A. It is often discussed, the problem of  
22 communication, but I have never submitted an official  
23 report to that effect.

24 Q. Now, I understand that these delays in  
25 communication with radio stations give rise to difficulties.  
26 I would like to know what type of difficulties.

27 A. Take the Irving Glen, there was loss of  
28 time, taking the ship to anchorage and other things.  
29 Maybe for the tugs -- when you get in touch with the tugs,  
30 when we want to go some place. Personally it happened







1 to me last year on the question of tugs.

2 Q. Could you tell us more about these things?

3 A. This took place in Quebec early in the  
4 morning and I had no tug. When I got to L'anse-au-Foulon  
5 I had no tug. I took the ship to dock with no tug.

2 6 Q.  
Can you tell us how the radio station in Quebec answered?

7 A. We are talking about inconvenience which  
8 is caused by the difficulty in communication with the  
9 Quebec radio station.

10 Q. And the last case you mentioned when you  
11 said you had to come to dock with only one tug?

12 A. When I went into the station I sent my  
13 signals and they woke up because they heard the whistle  
14 and they came to the ship.

15 Q. Before had you tried to get in touch on  
16 the Quebec radio?

17 A. We had already and no results.

18 Q. You had to tried to get in touch with the  
19 Quebec radio station in order to get your tugs and you  
20 hadn't been able to establish contact with the radio  
21 station and you arrived in Quebec without the tug there  
22 because you hadn't got in touch?

23 A. Right.

24 Q. Do you remember the hours during which  
25 you had tried to get in touch with the Quebec radio  
26 station?

27 A. No, I don't remember. I know it was during  
28 the night.

29 Q. What time did you arrive in Quebec?

30 A. I would say between midnight and six o'clock





1 in the morning.

2 Q. Did you report this incident to the Board  
3 of Transport?

4 A. No.

5 Q. You didn't report this?

6 A. No.

7 MR. JACQUES: Thank you, sir.

8  
9 CROSS-EXAMINATION BY MR. MAHONEY:

10 Q. Captain Pouliot, are you aware that the  
11 antenna for the Quebec Coast Station is located at  
12 Quebec Airport?

13 A. Well they weren't. It was at Martoniere.

14 Q. You say...

15 A. I had the impression it was at Martoniere  
16 for a while.

17 Q. For a while, but now?

18 A. No, I never inquired about it.

19 Q. So you don't know whether any change in  
20 the location of the antenna has led to any further  
21 difficulty in communication or made communication easier,  
22 you don't know that?

23 A. No.

24 MR. LALONDE: Your lordship, as I said  
25 those are two examples picked at random from the pilots  
26 recent experience. There might be more evidence on this  
27 question.

28 THE CHAIRMAN: I suppose Captain Rousseau  
29 will bring testimony later on and we can ask questions  
30 of Trans Canada.





1 MR. LALONDE: Captain Rousseau will also  
2 be in a position to give general information.

3 MR. JACQUES: Mr. Wells, please.

4  
5 GEORGE WELLS, sworn

6 DIRECT EXAMINATION BY MR. JACQUES:

7 Q. Would you state your full name and age?

8 A. George Wells, age 62.

9 Q. Your occupation?

10 A. I am Superintendent of Air and Marine  
11 Operations of the Telecommunications Branch of the De-  
12 partment of Transport, based in Ottawa.

13 Q. How long have you been in that function?

14 A. In that function about 7 years, but not  
15 with that title.

16 Q. Seven years?

17 A. Not with that title.

18 Q. So you should be familiar with all the  
19 problems we have to submit to you?

20 A. I will do my best.

21 Q. Sir, would you for the benefit of the  
22 Commission explain briefly what the communication system  
23 is like, marine communication system here in Canada, what  
24 does it consist of and how it operates?

25 A. I can just read you right here what we  
26 provide in the way of services. These are services pro-  
27 vided by the Department of Transport Marine Radio Station  
28 which are also referred to as coast stations.

29 Q. Would you speak louder please.

30 THE CHAIRMAN: Or closer to the microphone.







1 Q. THE WITNESS: The primary duty for coast  
2 stations is the safety service. In addition to that we  
3 also include public correspondence. By the safety service,  
4 for instance, there is distress communication and safety  
5 watch for distress and emergency and safety signals.  
6 There are also a broadcast of weather either prepared  
7 broadcast by the meteorological people or on request from  
8 ships.

9 There are also broadcasts, notices to mariners  
10 and any other information which is of assistance to the  
11 mariners including such things as time checks or communi-  
12 cation checks which are minor incidentals. In the  
13 public correspondence service, which is incidentally  
14 provided by some 50 stations throughout the country we  
15 have both a message service which is carried on by either  
16 radio telography or radio telephony, and in some cases  
17 both at the same station, and that is a person-to-person  
18 telephone service with the shore, which is commonly  
19 called the duplex service. Then there is communication  
20 between ships' radio. We can make communication with  
21 the telephone service ashore and in that way reach  
22 directly from somebody aboard a ship to a subscriber ashore.

23 We use telephony, which I think has been a little  
24 confused. We can use radio telephone on H.F. channels  
25 and also on V.H.F. channels. There is a matter of a  
26 difference of frequency there and a difference of mould.  
27 Our F.M. frequency modulated -- I think there has been  
28 a bit of confusion here in previous testimony where they  
29 referred to V.H.F. instead of F.M. They are the same  
30 thing.





1 Q. You say.....

2 A. What they refer to, I think, is an H.F.  
3 set instead of a V.H.F. set.

4 Q. High frequency and Very high frequency?

5 A. Very high frequency modulation for marine  
6 work.

7 Q. Before we proceed further on the subject  
8 will you tell the Commission the difference between an  
9 H.F. set and a V.H.F. set?

10 A. The difference is a matter of frequency.  
11 H.F. really is high frequency, not less than 3 megacycles,  
12 V.H.F., very high, around 160, 170 megacycles. There  
13 is a difference of frequency, frequency modulated.

14 THE CHAIRMAN: While we are on the subject,  
15 from the technological point of view this is the difference.  
16 As far as you are concerned there might be advantages  
17 of one or the other.

18 MR. JACQUES: Q. To all practical purposes  
19 what is the difference between the two sets?

20 A. The H.F. set normally gives you a greater  
21 range than the V.H.F. The V.H.F. is propagated line of  
22 sight. H.F. can reach further. There are differences  
23 from a practical point of view. V.H.F. is a fairly noisy.  
24 In particular bands of high frequency there is quite a  
25 bit of noise.

26 Q. What would be the range of H.F. and V.H.F.?

27 A. It depends on many things.

28 Q. Is there a difference in the size, the  
29 cost and the power needs for V.H.F. as opposed to H.F.?

30 A. There is no particular limit on the power.







1 THE CHAIRMAN: We will have a short  
2 recess.

3  
4 ---Recess.

N  
English 5 ---Following Recess.

6 MR. JACQUES: I trust the system will now  
7 work?

8 A THE WITNESS: Does this thing work now?

9 EXAMINATION BY MR. JACQUES:

10 Q. Now sir we were discussing H.F. and V.H.F.  
11 and I believe I was just asking you if there were any  
12 differences between the two sets in respect to size of  
13 equipment and also source of power needed to operate  
14 these sets. Now would you answer this question dis-  
15 tinguishing between shore station or coast station, as  
16 you call them, and ship stations?

17 A. Well on the coast stations the source of  
18 power is usually commercial. Consequently, it is, you  
19 might say, unlimited. In the case of a ship, it depends on  
20 the size of your ship and in the case of small vessels,  
21 like fishing vessels, it may be unlimited.

22 Q. And in the case of cargo ships, say 10,000  
23 ton ships?

24 A. That would allow a fair amount.

25 Q. What is the practical difference between  
26 those two sets? You have mentioned difference in  
27 frequencies but in practice what does it represent to  
28 the user of the set?

29 A. The very high frequency communications  
30 are freer from interference and are short ranged and the





1 high frequency, depending on the frequency, goes a much  
2 greater range but it is subject to interference.

3 Q. For use in the St. Lawrence River, between  
4 say Escoumains and Montreal, which would you recommend?  
5 High frequency or Very high frequency?

6 A. I think you would need both there.

7 Q. Why sir?

8 A. Because of the distance between the stations.  
9 I don't think you could reach all the way by a V.H.F.  
10 or if you could, it would be preferable.

11 Q. If we may come back to the --

12 THE CHAIRMAN: While we are on the subject,  
13 I did not get exactly the answer before but other witnesses  
14 spoke of F.M. Do we have F.M. here?

15 THE WITNESS: Yes. At Quebec you mean?

16 THE CHAIRMAN: Yes.

17 THE WITNESS: Yes, we do.

18 THE CHAIRMAN: Is it used aboard ships?

19 THE WITNESS: Yes, it is.

20 Q. On V.H.F. sets?

21 A. Yes, that is right.

22 Q. Now to come back to the description of  
23 these services you provide, you mentioned the nature of  
24 the services which you provide and you mentioned coast  
25 stations. Would you include the stations in Montreal and  
26 in Quebec as coast stations?

27 A. Yes. Another name for the same thing  
28 is marine radio station. In other words, is a station  
29 providing a service to mobile marine users.

30 Q. And you said that you provided various







1 services and also commercial services, I believe?

2 A. That is right. Public Commercial Corr-  
3 espondence.

4 Q. Public Commercial Correspondence was the  
5 expression that you used. Are you able to tell the  
6 Commission the various percentages which public corres-  
7 pondence would rate in the total traffic, in the radio  
8 station here in the St. Lawrence River area?

9 A. I am sorry, I would not be able to do  
10 that.

11 Q. Would the other services, such as security  
12 to navigation, et cetera, have precedence over public  
13 correspondence?

14 A. Yes, they would. They are priorities,  
15 top priorities, distress.

16 Q. Would you explain these various priorities  
17 to the Commission please?

18 A. The top priority, as I have said, is  
19 distress communications. When distress communications  
20 are on, everything else is supposed to stop.

21 Q. And who are required to stop to let the  
22 message through?

23 A. Anybody hearing the distress signal is  
24 bound by regulation to stop. Sometimes they don't happen  
25 to hear it and start up transmitting. Maybe just come  
26 on watch or something, and then the closest coast station,  
27 or the one who is controlling their distress traffic,  
28 will tell him to stop.

29 Q. That is the top priority?

30 A. Yes.







1 Q. And I believe by radio telephone the spoken  
2 word "Mayday" is used?

3 A. That is correct.

4 Q. To stop all traffic?

5 A. No. "Mayday" is an expression meaning that  
6 the vessel is in distress and needs immediate assistance.

7 Q. Is there a code word for a distress signal,  
8 apart from "Mayday?"

9 A. By code, do you mean the International  
10 Morse Code? That is S.O.S.

11 Q. No, the spoken procedure, voice procedure.  
12 You said the top priority was distress?

13 A. That is right.

14 Q. You said the distress message started with  
15 the spoken word "Mayday?"

16 A. That is correct.

17 Q. That would indicate the priority?

18 A. Yes.

19 Q. What is the next priority?

20 A. Urgency.

21 Q. And what is the spoken word to indicate  
22 that this is an urgent message?

23 A. That in radio-telephony is PAN.

24 Q. And what is within that priority? What  
25 subject matter? You may refer to your notes if you wish  
26 sir.

27 A. I think I had better get the proper inform-  
28 ation here. The urgency signal shall precede the call  
29 word PAN to indicate that the station calling has a very  
30 urgent message to transmit concerning the safety of a ship,





1 aircraft or other vessels or the safety of a person.

2 Q. And when the word PAN are heard, would all  
3 other traffic stop?

4 A. All other traffic except actual distress traffic.

5 Q. Except a Mayday signal?

6 A. That is correct.

7 Q. And is there another priority?

8 A. Yes, there is a third priority. The next  
9 priority is safety communication.

10 Q. And what would be included under safety  
11 communication?

12 A. Safety signals usually precede the call  
13 from a station to indicate that the station is about to  
14 transmit a message concerning the safety of navigation or  
15 giving meteorological warnings.

16 Q. What is the word used to indicate this  
17 is a safety message?

18 A. Sécurité or security in English.

19 Q. Is there any other classification or priority?

20 A. Apart from those three I have given you, they  
21 come more into the public correspondence.

22 Q. And when the words "Security" are heard  
23 would all traffic come to a standstill except urgency  
24 messages and distress messages?

25 A. Not necessarily. I have something on  
26 that here.

27 Q. Would you explain what happens then?

28 A. All stations hearing the safety signal shall  
29 continue to listen on the frequency on which the safety signal  
30 has been transmitted until they are satisfied that the message  
is of no interest to them. However, they shall not make any







1 interfere with the message. So that you have a priority  
2 there.

3 Q. We have a priority, and if I understand  
4 the priority, what you have just read, it means that the  
5 traffic must stop and listen?

6 A. Yes.

7 Q. Is that followed as a matter of fact?

8 A. What would happen would be that people in  
9 the more or less immediate neighbourhood of the security  
10 call would not interrupt, if they thought about it. It  
11 does happen though, of course.

12 Q. When a ship sends a security message,  
13 would your station interrupt whatever messages are going  
14 on to listen in to this security message?

15 A. They would not stop transmission, if they  
16 were in the middle of a transmission.

17 Q. They would not?

18 A. They would not. But don't forget that  
19 they would be on a different frequency. They would not  
20 be interfering, so normally they can carry on.

21 Q. This brings me to the subject of frequency  
22 and channels and if my memory serves me right, you call  
23 on 2182?

24 A. On the high frequency radio telephone band  
25 2182 is the safety and calling frequency, yes.

26 Q. And when you call using voice procedure,  
27 you state to which channel you are reverting for your  
28 message. Is that correct?

29 A. That is correct, yes. You make your call  
30 and then announce listen on range two, or something like





1 that, to indicate a change of frequency.

2 Q. You said that this was applicable to H.F.  
3 but what about V.H.F.?

4 A. Well the V.H.F. is the same sort of thing.  
5 The calling frequency there is 156.8 megacycles and there  
6 is a working frequency of 161.9 or its corresponding  
7 ship frequency.

8 Q. This calling frequency is a frequency  
9 to which everybody is listening?

10 A. To which everybody should be listening.

11 Q. To which your station should be listening?

12 A. Our stations are listening.

13 Q. When the call is put through, before the  
14 transmitting station changes over to another frequency,  
15 to a working frequency, does he wait until the station  
16 called has acknowledged his call?

17 A. Usually, yes.

18 Q. And then he changes over?

19 A. Yes, otherwise he might change over, give  
20 a call and then lose the station. It is much better---  
21 he gives a call and we will say a ship calls the coast  
22 station. The coast station would acknowledge the call  
23 and tell him to listen on the working frequency. The  
24 ship would also have to change to his working frequency  
25 which might not be the same as the coast station, and  
26 then they would carry on their conversation on the  
27 working frequency after that.

28 Q. So the conversation is carried out on a  
29 working frequency?

30 A. Yes.







Q. In your stations let's start west and work east in Montreal. How many working frequencies do you have and how many working frequencies can ships talk to you?

A: About six - Montreal 1, 1 radio telegraph frequency, that is the calling frequency for radio telegraph and four H.F. radio telephone frequencies and 2 V.H.F.'s, and one of which is the calling and the other is the working.

Q. In Montreal you can take a message through one V.H.F. working channel only?

A. Yes.

Q. And you can take messages, you can take only one message at a time then in V.H.F.?

A. Yes, that is correct.

Q. On H.F. you have got 4 working frequencies?

A. Yes, but you cannot use them simultaneously.

Q. Why not?

A. Question of apparatus.

Q. How many messages can you receive on H.F. in Montreal at the same time?

A. You can receive because the receivers are open all the time, but then if you want to transmit, in other words work on that, there is the matter of limitation in the number of transmitters that are available.

Q. But you can receive 4 messages at the same time?

A. You could hear 4 signals at the same time.

Q. On these working frequencies?

A. Yes.

Q. The calling is done on one frequency and







1 then one reverts to a working frequency?

2 A. No. Supposing you had one transmitter, you  
3 could use 4 frequencies on that one transmitter but not  
4 simultaneously. In other words, you would use one fre-  
5 quency at a time for transmitting.

6 Q. In Montreal how many transmitters have you  
7 got?

8 A. That I cannot tell off hand.

9 Q. Can you tell us how many messages you could  
10 handle simultaneously in Montreal? Radio-telephone  
11 messages?

12 A. Radio-telephone, I am not certain of it  
13 but I would say 2. There are 2 radio-telephone positions  
14 at Montreal. In other words, there is a capacity for  
15 dealing with two duplex calls at one time. Consequently,  
16 two messages at one time. It's capable of two at one  
17 time on radio-telephone.

18 Q. And what about in Quebec now?

19 A. One only there I believe. In Quebec there  
20 is one position for radio-telephone, one for radio-  
21 telegraph.

22 Q. So you can handle one radio-telephone  
23 message at a time in Quebec?

24 A. That is correct.

25 Q. And what about Mont Joli?

26 A. The same there except that during the sum-  
27 mer at Mont Joli there is a capability of part-time, just  
28 during the peak hours of 2 positions.

29 Q. Handle two messages?

30 A. Yes.





1 Q. Now would public correspondence be deferred  
2 for messages concerning the movement of ships? Would  
3 you include messages of ships in public correspondence?

4 A. They are part of public correspondence.

5 Q. Am I right in saying what is not public  
6 correspondence are distress messages, urgency messages  
7 and security messages coming from ships, mind you?

8 A. Yes.

9 Q. I am always talking from ships to shore.

10 A. Public correspondence, now that is the revenue  
11 traffic. Now there is a certain amount of, for instance,  
12 these E.T.A. messages which are not paid, which ships are  
13 requested to put in for the convenience of pilots.

14 Q. So it is non revenue messages?

15 A. That is a non revenue message.

16 Q. Public correspondence --

17 A. Public correspondence is usually in the  
18 revenue messages, yes.

19 Q. You have heard mention of the Saguenay  
20 River. In order to provide an adequate system on the  
21 Saguenay River, are you able to tell the Commission what  
22 would have to be done and at what cost?

23 A. I know from hearsay that the Saguenay  
24 River is one of the worst places to try to get communication  
25 into. The cost would probably be astronomical. I  
26 wouldn't like to venture any figure. You can do nearly  
27 everything if you have enough money to do it with. We  
28 have to remember the taxpayer.

29 Q. Now sir you were able to follow the evidence  
30 given by Pilot Hamelin and Pilot Pouliot as regards diffi-







1 culties. Difficulties they had to raise Quebec Station.

2 Have you any explanation to suggest on the reasons or  
3 the cause of these difficulties based on your past ex-  
4 perience?

5 A. If a call is not answered, it might be  
6 that there is one operator on duty who is at the time busy  
7 with correspondence from another ship. Another thing  
8 that could happen is that the ship was maybe in a dead  
9 spot or did not have sufficient power to reach the station. 1

10 You must understand that the power we use at  
11 our coast station is considerably more than the ships  
12 use.

13 Q. You mentioned dead spots. Here in the  
14 St. Lawrence River do you know of any such dead spots?

15 A. There have been surveys undertaken in the  
16 river re the above, more than one survey and in a general  
17 way I would say that from east of the Island of Orleans  
18 down to the Saguenay River is a difficult spot.

19 Q. Is it a difficult spot. Do you know what  
20 causes these dead spots?

21 A. Up the Saguenay, of course.

22 Q. Up the Saguenay also. Do you know what  
23 causes these dead spots?

24 A. That would be a technical matter.

25 Q. With which you are not familiar.

26 A. It is a matter that the signal just won't  
27 go through iron ore, and that sort of thing from what  
28 I gather.

29 Q. Now sir would you tell us about the  
30 manning of your stations along the St. Lawrence?





1 A. Do you mean the principle on which they  
2 are manned?

3 Q. The actual number of bodies handling the  
4 work in the stations?

5 A. I could give it to you by position. We  
6 will say here at Montreal, for instance, there is a radio  
7 telegraph position which is manned 24 hours a day from  
8 April 1st to November 1st. That is the navigation season.  
9 There are two radio-telephone positions, part-time manning, d  
10 pending on the tug boats and traffic so that throughout  
11 the 24 hours they might have three people manning the  
12 marine end of it, might have two or might have one who  
13 would be sufficient to carry on.

14 Q. What would he be manning then? Radio-  
15 telegraph or radio-telephone?

16 A. One would be radio-telegraph and the other  
17 position, either one or two other positions would be  
18 radio-telephone.

19 Q. But you said there would be one handling  
20 the job?

21 A. One man can handle the two of them if  
22 it was sufficiently dead, as it does go at night at  
23 times.

24 Q. Is that all for the marine end of this  
25 Montreal station?

26 A. During the season, at the end of the  
27 navigation season say from around November 1st until the  
28 end of December, there is a reduction there because there  
29 isn't the amount of traffic and then after December 31st  
30 it goes on to restricted hours for the ice breaking







1 operations which are down the river, no need for full  
2 time, you see.

3 Q. Up until December the 31st the station in  
4 Montreal is manned 24 hours a day?

5 A. Yes, that is right.

6 Q. And from December 31st --

7 A. Up until about April 1st.

8 Q. It is manned according to restricted  
9 hours?

10 A. Yes.

11 Q. And what do you mean by restricted hours?

12 A. According to the needs of the ice breaking  
13 going on down the river. You see, the navigation season  
14 is then closed so the hours of operation depend on what  
15 is needed by the ice breakers down the river.

16 Q. What about Three Rivers Station?

17 A. Three Rivers Station has one man all year.

18 Q. One man 24 hours a day?

19 A. Yes.

20 Q. All year?

21 A. Yes. I don't mean one man does it. One  
22 man a shift.

23 Q. We realize that. There is only one man  
24 at the station, but the station is manned 24 hours a day  
25 throughout the year?

26 A. Yes.

27 Q. And in Quebec?

28 A. Quebec would have one radio-telegraph and  
29 one radio-telephone position occupied the year-round,  
30 plus a second radio-telephone position 24 hours a day







1 between April 1st and November 1st.

2 Q. And in Mont Joli?

3 A. One radio-telegraph and one radio-telephone  
4 position the year round.

5 Q. Twenty-four hours a day?

6 A. Twenty-four hours a day. At Seven Islands,  
7 Sept Isle, is similar to Mont Joli. I am not certain  
8 on that one but I believe it is similar to Mont Jol and  
9 the other station at Fox River is one manned twenty-four  
10 hours a day the year round.

11 Q. Now sir have you ever received any com-  
12 plaints from pilots to the effect that they could not  
13 raise the stations?

14 A. I believe there have been complaints.  
15 Complaints like that usually come to either our Regional  
16 Office or to Headquarters; get some at the above places.  
17 I couldn't remember off hand what particular complaints  
18 they were but the impression is that Quebec has in the  
19 past not been quite satisfactory.

20 Q. Did you investigate this matter?

21 A. Yes. When we get complaints like that  
22 our usual thing is to ask our Regional Office to in-  
23 vestigate it and make a report on it.

24 Q. Do you recall having carried out any in-  
25 vestigation as regards the station in Quebec?

26 A. We wouldn't do that thing directly from  
27 headquarters. It would go through our Regional Office  
28 and get them to make the investigation in the field.

29 Q. I would like you sir to check and find  
30 out what complaints were made, if any, and what action





1 was taken on the complaints of pilots mind you.

2 A. Of pilots.

3 Q. Either Lower St. Lawrence or Upper St.  
4 Lawrence or Central St. Lawrence I believe now you call  
5 it.

6 MR. LALONDE: My lord, I am informed that  
7 certain representations may also have been made to the  
8 Department of Transport through the Pilotage Authority  
9 and maybe it would be proper to ask the witness to check  
10 whether certain representations would have come through  
11 the Department of Transport Pilotage Officials in this  
12 way at the same time.

13 THE WITNESS: You mention pilotage officials,  
14 who do you mean by that?

15 MR. JACQUES: To mention names, Captain  
16 Slocombe, Captain Jones, Captain Seeley.

17 A. Yes. In other words through our own  
18 marine services of our own department?

19 Q. Yes, please.

20 A. Yes, we do get reports that way.

21 Q. So would you find out the reports that you  
22 have had and action taken on these reports please?

23 A. In what period?

24 Q. For the last two years.

25 A. That will entail --

26 Q. Including 1963 so there would be 1961,  
27 1962 and 1963 to date?

28 A. Up to the present moment. That will en-  
29 tail digging in Headquarters files.

30 Q. Oh I realize that.







1 A. It won't be a simple matter.

2 Q. When you have the information, if you would  
3 be kind enough to get in touch with the Secretary of the  
4 Commission.

5 A. Of course another way that complaints could  
6 reach us is through, for instance, the regular yearly  
7 meetings of the Dominion Marine Association. Not partic-  
8 ularly the pilots, but that type of meeting. Perhaps  
9 the recommendations.

10 Q. Would that concern the Great Lakes mostly?

11 A. Not necessarily.

12 Q. It would cover the St. Lawrence River?

13 A. Also, yes. There are meetings between  
14 our marine services and telecommunication services within  
15 the Department and then there are outside bodies who  
16 make recommendations to us sometimes and with whom we  
17 meet sometimes.

18 Q. To the best of your recollection would any  
19 Pilots' Association have requested such a meeting with  
20 your section of the Department?

21 A. I don't recollect off hand.

22 Q. Now sir one last question: under your  
23 regulations with reference to safety communication would  
24 it be within the meaning of these regulations to use  
25 this priority to pass messages concerning the movement  
26 of ships within the St. Lawrence River? An example a  
27 ship anchoring because of fog or weighing anchor, and when th  
28 weather has cleared, resuming her passage?

29

30





1 The case quoted by Pilot Hamelin this  
2 morning.

3 A. If that was addressed to the Signal Service,  
4 that would be accepted as free.

5 Q. I am not concerned about payment, I am  
6 concerned about the granting of priority to that message?

7 A. No, there shouldn't be any special priority  
8 on that, I wouldn't think. This is merely a report to  
9 the Signal Service.

10 Q. Now, sir...

11 A. They could put a priority on it by sending  
12 it as a security message if they want to.

13 Q. If they were to so send these messages would  
14 you consider this an infraction of your rule?

15 A. No.

16 Q. Now, sir, if you wish we shall discuss  
17 the teletype service. Does that come under you?

18 A. You are speaking now of the marine service  
19 teletype?

20 A. Marine service teletype, that comes under  
21 you? That is quite apart from the coast stations you have  
22 mentioned?

23 A. Yes, there is a circuit running from  
24 Seven Island, Sept-Iles up to Montreal with various  
25 stations including some of the coast stations on this.  
26 There is also another circuit goes beyond Montreal to  
27 Sarnia. There is also a small one on the west coast.

28 Q. I believe it was two chains, 999 and  
29 998 unit Montreal as a control station; is that it?

30







1 A. I believe that is correct, yes.

2 Q. Now, sir, were you ever told in Montreal  
3 that the District Marine Agent in Quebec didn't abide  
4 by regulations as regards transmission of messages through  
5 the teletype, instead of going from Montreal he sent  
6 messages on his own? Would you have any knowledge of  
7 that?

8 A. What do you mean, have sent it by commercial  
9 telegraph?

10 Q. Via teletype?

11 A. I don't quite understand what you mean.

12 Q. The situation is this, if an aid to nav-  
13 igation is out of position, we were told that there was  
14 a special procedure to follow, that the controlling station  
15 would advise all stations on the chain of the difficulty  
16 in aids to navigation and then that this difficulty would  
17 be broadcast via your coast stations everywhere?

18 A. Oh yes. You are talking about notices to  
19 mariners?

20 Q. Notices to mariners, yes.

21 A. Yes.

22 Q. We were told that the District  
23 in Quebec didn't follow this rule, but had messages broad-  
24 cast himself without regard to this rule? Would you  
25 have any knowledge of that?

26 A. No, I haven't.

27 Q. How long has the teletype been in service?

28 A. It is a matter of several years. I don't  
29 know the exact date, though. The teletype service, by  
30 the way, our marine services asked us to advise them of







1 what should be done in the way of teletype circuit, but  
2 it is really their circuit. We set up procedures for  
3 them and that sort of thing, but it is really the Marine  
4 Services rather than telecommunications.

5 Q. It doesn't come directly under you?

6 A. No.

7 MR. JACQUES: Thank you.

8  
9 CROSS-EXAMINATION BY MR. LALONDE:

10 Q. Mr. Wells, you stated that you had re-  
11 duction in personnel after November 1st to the end of  
12 December in Montreal, I understand?

13 A. Yes.

14 Q. What would that mean? Would you have two  
15 or one men alone on duty after that time?

16 A. November 1st to December 31st -- I am not  
17 quite sure of those figures. I got them over the telephone.  
18 At that time I would say that there is one man for  
19 radio-telegraph and one for the radio-telephone position.

20 Q. One radio-telephone and one radio-telegraph.  
21 I understand that you have restricted hours after December  
22 31st.

23 A. That is correct.

24 Q. Do you keep these restricted hours for  
25 several months, from January, February -- when do you  
26 switch over?

27 A. When the season of navigation starts,  
28 which is generally about April 1st.

29 Q. About April 1st, which means that from  
30 April 1st to November there are restricted hours for





1 communications in Montreal?

2 A. That is right.

3 Q. What are these restricted hours?

4 A. That I don't know. I believe though that  
5 is set by the requirements of the ships which are around  
6 there that is ice-breakers.

7 Q. Page 16 of the Regulations concerning radio  
8 aids to marine navigation, March 1st, 1963 which have  
9 already been tabled as exhibits at Halifax make mention  
10 of time they run, I understand?

11 A. That is correct, they do.

12 Q. It would be what?

13 A. 07 to 1900 Eastern Standard Time.

14 MR. LALONDE: Thank you very much.

15 THE CHAIRMAN: Excuse me, I understand this  
16 document is Exhibit 223 and was filed at St. John's,  
17 Newfoundland.

18 MR. LALONDE: Thank you, my lord.

19 Q. Now I also refer to teletype services. Is  
20 the teletype service owned by your division or Department  
21 or is it rented from a private concern?

22 A. No, most of our teletype circuits are  
23 leased, leased lines and equipment.

24 Q. From a private company?

25 A. From Canadian National, I think it is,  
26 either Canadian National or Canadian Pacific.

27 Q. Leased so much per year or so much per day,  
28 or is it otherwise?

29 A. So much per month.

30 MR. LALONDE: Thank you.







1 CROSS-EXAMINATION BY MR. LANGLOIS:

2 Q. Mr. Wells, earlier in your testimony mention  
3 was made of the limited range of sets in smaller ships  
4 on account of limited power?

5 A. Yes.

6 Q. Is it not a fact now you have on the market  
7 sets equipped with transistors that can have quite an  
8 output even though the power on the ship is limited?

9 A. It is not a fact because we don't put any-  
10 thing on the market.

11 Q. Pardon?

12 A. It is not a fact because the Department  
13 doesn't put anything on the market. That is private in-  
14 dustry.

15 Q. I mean private industry, that is what I  
16 mean. I am not speaking of the Department. I am speaking  
17 of private industry.

18 A. I don't know what is on the market because  
19 it is out of my field.

20 Q. You don't know these sets are being used  
21 in the St. Lawrence with up to 75 watts.

22 A. It is out of my field. I am not a technical  
23 man on that.

24 Q. You will have to call me as a witness  
25 on this.

26 Now, if I understood you correctly you stated  
27 that here in Quebec you had only one set, one H.F. set;  
28 is that right?

29 A. I am not sure of that at all. That is  
30 technical equipment.





1 Q. You don't know how many sets there are  
2 here in operation at the station in Quebec?

3 A. No, I could obtain that information for  
4 you, but I don't know how many sets they have here.

5 Q. How many sets do you have in Montreal  
6 do you know?

7 A. I don't know. That is a technical matter.  
8 What you would be more interested in, probably, is how  
9 many messages could be operated at the same time.

10 Q. I understood you to say if you had only  
11 one transmitter there is no use in having two operators  
12 to transmit because you have only one transmitter?

13 A. That is right.

14 Q. I wanted to know how many transmitters  
15 you have in Quebec?

16 A. That I can't answer.

17 Q. If you have only one transmitting set in  
18 Quebec there is no use of having two or three operators  
19 at the same time?

20 A. If you are speaking on radio-telephone,  
21 no.

22 MR. LANGLOIS: That is right, thank you.

23 THE CHAIRMAN: There are no other  
24 questions. Have you any questions Mr. Jacques?

25 MR. JACQUES: No.

26 THE CHAIRMAN: No questions here. Thank  
27 you very much Mr. Wells.

28 MR. JACQUES: May Mr. Gingras and Mr.  
29 Wells be excused, my lord?

30 THE CHAIRMAN: Yes.







1 MR. LALONDE: My lord, are we to understand  
2 that these are going to be the only witnesses dealing with  
3 telecommunications in Quebec, or were there any other  
4 witnesses?

5 THE CHAIRMAN: That is what I gathered.

6 MR. LANGLOIS: We should have an operator.

7 MR. JACQUES: If the Commission feels it  
8 should have physical data of all equipment available at  
9 these places on the St. Lawrence we could prepare these  
10 answers, no doubt, and have the witnesses testify.

11 THE CHAIRMAN: I was just wondering, and  
12 I put a note here, as to whether we ought not go to visit  
13 one of these stations.

14 MR. GINGRAS: My lord, you would be welcome.  
15 We could take you to Louzan to see part of the V.H.F.  
16 at Louzan. The H.F. would be at the airport. It would have  
17 to be a full day. You will see what we have. We have  
18 standby transmitters and receivers on the 500 kilocycles.  
19 We have one large transmitter and we have a standby also.

20 THE CHAIRMAN: That is at Louzan?

21 MR. GINGRAS: This is at the airport, but  
22 we have F.M., large V.H.F. at Louzan. I may stand correct-  
23 ed. We may have just one H.F. transmitter at Louzan  
24 still. We are in the process of moving out of Louzan.  
25 We are looking for a high building in Quebec to put on  
26 F.M. and V.H.F. The other alternative is to bring one  
27 of our technicians to answer all your questions.

28 THE CHAIRMAN: We will give it thought over-  
29 night and let you know.

30 MR. LALONDE: My lord, I raised this







1 question as it seemed to me it might be worthwhile to  
2 view the station here, how it is operated, be in a position  
3 to ascertain how heavy their work load is at times and  
4 is the work effective during peak periods.

5 THE CHAIRMAN: Whatever we got at a visit  
6 wouldn't go into the record.

7 MR. LALONDE: I understand that.

8 THE CHAIRMAN: It might be better if we  
9 had an operator here.

10 MR. LALONDE: I am sure it would be helpful  
11 to ask them.

12 THE CHAIRMAN: We will ask our counsel to  
13 make the necessary arrangements to have an operator here  
14 to explain work load and so on.

15 MR. JACQUES: If my friend wants a statement  
16 on work load I am sure we can ask Mr. Wells to give in-  
17 structions to his staff to prepare such information,  
18 not only for Quebec but also for Montreal, Three Rivers  
19 and other stations.

20 THE CHAIRMAN: You could get together with  
21 Mr. Wells after the adjournment and we will try to get the  
22 information that we need. If there is any disagreement  
23 you can come to us tomorrow and we will see.

24 MR. JACQUES: I am sure there will be  
25 agreement.

26 THE CHAIRMAN: I am also.

27 MR. JACQUES: To me it would be useless to  
28 have only Quebec.

29 THE CHAIRMAN: You will get together right  
30 after the adjournment.





1 MR. JACQUES: Pilot Allard.

2  
3 HENRI ALLARD, sworn

rench4 DIRECT EXAMINATION BY MR. JACQUES:

5 Q. Your name and age?

6 A. Henri Allard, 36 years of age.

7 Q. Occupation?

8 A. Assistant Harbour Master for Quebec.

9 Q. For how long?

10 A. Since May 1st, 1963.

11 Q. Before this date what was your occupation?

12 A. Pilot Supervisor for the District of  
13 Quebec.

14 Q. For how long have you been Supervisor of  
15 Pilots of Quebec?

16 A. From September 20, 1962 until May 1st,  
17 1963, inclusive.

18 Q. Before that what was your occupation?

19 A. Marine Officer, Ocean-going vessels.

20 Q. What certificate do you have?

21 A. I am a Captain.

22 Q. When did you get your certificate?

23 A. 1958.

24 Q. Where?

25 A. Halifax.

26 Q. Have you always been a captain of a ship?

27 A. No.

28 Q. How many years have you served at sea alto-  
29 gether?

30 A. 13 years.







1 Q. Which places have you visited?

2 A. Well, all over the world.

3 Q. Now, if you don't mind we are going to limit  
4 your discussion to your function as Harbour Master, even  
5 if you have to come when we are going to discuss the  
6 administration of the Pilotage District of Quebec. Can  
7 you tell me what are your functions as Harbour Master here  
8 in Quebec?

9 A. The Harbour Master in Quebec has the function  
10 of looking after all the harbour of Quebec, tugs, ships  
11 berths, general supervision of the harbour, control of  
12 navigation, in other words everything which takes place  
13 in the Harbour of Quebec.

14 Q. And how do you supervise and control nav-  
15 igation in the Harbour of Quebec?

16 A. The supervision and control in the Harbour  
17 of Quebec is actually being reorganized. We have one  
18 radio-telephone, H.F., on : 2182 for calling and 2678 for  
19 working. We have men being trained on this radio now  
20 and with these radio-telephones we have to be able to  
21 control all the traffic in the harbour of Quebec.

22 THE CHAIRMAN: I would like to know more  
23 about the functions of this radio-telephone, with whom  
24 does the Harbour Master get in touch et cetera?

25 MR. JACQUES: Is the radio-telephone being  
26 used now?

27 A. Yes, right now it is functioning.

28 Q. Since when has it functioned.

29 A. Let us say it has been on a basis of 24  
30 hours since about two weeks.





1 Q. Two weeks now on 24 hours. Before that was  
2 it in operation?

3 A. Before it was in operation from 8:30 in the  
4 morning until 11:00 at night.

5 Q. For how long?

6 A. Since the 1st of May, 1963, up to two weeks  
7 ago.

8 Q. Last year, do you know if such a radio-  
9 telephone was in operation?

10 A. As far as I know this radio-telephone wasn't  
11 operating last year.

12 Q. So this is the beginning of such an operation?

13 A. Yes.

14 Q. What is it used for?

15 A. Well, according to the regulations for  
16 exploration of the Harbour of Quebec. No ship has the  
17 right to come to dock or to use any part of the property  
18 of the Harbour without asking for proper authorization,  
19 whether for anchorage or dockage or what have you.  
20 With this radio-telephone if a ship wants either to anchor  
21 within the limits of the harbour or to come to a dock at one  
22 of our piers it can make a request through the radio-  
23 telephone.

24 Q. At the present time is this radio-telephone  
25 used for this?

26 A. At the present time we have not publically  
27 announced that we are using radio-telephone.

28 Q. When do you expect to announce this to  
29 the public?

30 A. About a week from now.







1 Q. What is the use of this radio now?

2 A. Just for training.

3 Q. Only for training?

4 A. Yes.

5 Q. With this radio-telephone you intend to  
6 obtain information and to communicate information for  
7 the exploration of the Harbour of Quebec?

8 A. That is right.

9 Q. Now, did you discuss the installation of  
10 this radio-telephone with the ship owners?

11 A. Yes, it has been mentioned and they are  
12 of the opinion that such a radio-telephone could be very  
13 useful to them also.

14 Q. Did you discuss this with the pilots  
15 also?

16 A. Yes. The pilots, as far as I know, were  
17 the first ones to request this, ask the office of the  
18 Harbour Master be open 24 hours a day and be equipped with  
19 a radio-telephone.

20 Q. Do you know when the pilots made such  
21 a request?

22 A. I have been made aware of the first request  
23 about a year ago.

24 Q. When you were Supervisor of the Pilots?

25 A. This is right. We had an interview with  
26 the Director of the Harbour, representative of the  
27 District Pilots' Association and the Montreal District  
28 Pilots' Association also. We discussed this question.

29 Q. When did this take place?

30 A. If my memory is correct it was in July,







1 1962.

2 Q. Do you remember who called such a meeting?

3 A. I think this is when we were discussing  
4 security measures in the Harbour of Quebec with the  
5 Pilots and then we came to the conclusion of asking  
6 authorities of Quebec Harbour for a meeting.

7 Q. When you say "us" at this time, you  
8 as an employee of the Department of Transport and Super-  
9 visor of Pilots -- this is as Supervisor of Pilots you  
10 called for that meeting, the initiative came from you?

11 A. Not necessarily. I would say came jointly  
12 from me and from the pilots.

13 Q. Now, the pilots in their suggestion that  
14 there would be radio-telephone stations, did they suggest  
15 to which end such equipment be used?

16 A. Yes, they suggested it be used as a means  
17 to control the harbour, like this, for instance, the  
18 point of view of security, when a ship would leave the  
19 basin or the St. Charles River, that the Harbour Master  
20 would be informed of the movements of ships in the harbour  
21 so that he could advise all other ships that, for instance,  
22 one ship is leaving the basin and that all other ships  
23 around there take precautionary measures in order to have  
24 maximum security for the ship which is leaving the  
25 basin.

26 Q. Is this the only thing which has been  
27 suggested for use of the radio-telephone?

28 A. No, as far as the pilots are concerned  
29 it is in order to have as much information as possible  
30 when they enter the limits of the harbour in order to find





1 out if they can go to dock, if they can go straightaway,  
2 which ship is in anchorage and where they can anchor.

3 Q. Now, you have heard the testimony of  
4 Pilot Pouliot on the question of tugs which he couldn't  
5 order in time to manoeuvre his ship. Could such a radio  
6 installation be used for ordering tugs?

7 A. Certainly -- well, not necessarily, because  
8 here, within the limits of the Harbour we have no right  
9 to use our radio-telephone to talk to a ship which is at  
10 dock.

11 Q. What would be the range of your radio-  
12 telephone?

13 A. This radio-telephone has power of 25  
14 watts, so it covers all the limits of the Harbour of  
15 Quebec.

16 Q. Does it go beyond the limits of the Harbour  
17 of Quebec? Have you made experiments on the range of  
18 the radio-telephone.

19 A. We have picked up sets which are about six  
20 miles further down from the Quebec Approach and ships  
21 which were around Ile d'Orleans.

22 Q. So it has a range of about 10 miles?

23 A. Yes, about 10 miles.

24 THE CHAIRMAN: Are you going to change  
25 the subject?

26 MR. JACQUES: Yes.

27 THE CHAIRMAN: We will adjourn to 10:00  
28 tomorrow morning.

29  
30 ---Adjournment.





# ROYAL COMMISSION

ON

## PILOTAGE

### HEARINGS

HELD AT

Quebec City

VOLUME No.:

50A

DATE:

July 23, 1963

OFFICIAL REPORTERS

ANGUS, STONEHOUSE & CO. LTD.

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TORONTO

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held at  
the Court House, Quebec City, Quebec,  
on the 23rd day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques  
Mr. Leopold Langlois, Q.C. - for the Canadian Merchant  
Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Fed- eration of Canada
Mr. J. M. Jacques	for the National Harbours Board
Mr. J. Mahoney) Mr. C. Mason)	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J. S. Scott	Technical Advisor to the Commission
Captain F. S. Slocombe	for the Department of Transport and Liaison officer





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TORONTO, ONTARIO

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1 COMMISSIONER SMITH: Gentlemen, his lord-  
French 2 ship will be delayed for half an hour or so. He is at  
3 the doctor's office with some Sinus trouble but he expects  
4 to be here very shortly so in the meantime, we can con-  
5 tinue as usual.

6 MR. JACQUES: Very well sir.

7 Mr. Jeffrey please?

8  
9 EUGENE JEFFREY, sworn

10 DIRECT EXAMINATION BY MR. JACQUES:

11 Q. You can sit down. Will you please tell  
12 us your full name and your age?

13 A. Eugene Jeffrey, 44 years old.

14 Q. I note Mr. Jeffrey that you work here in  
15 Quebec and that you have an incorporated business with  
16 someone. With your brother?

17 A. My brother.

18 Q. You are in business with your brother here  
19 in Quebec. What is the name of your company?

20 A. Eugene and Andre Jeffrey Registered.

21 Q. For how many years have you been in that  
22 business?

23 A. 32 years.

24 Q. How long have you been in business with  
25 your brother?

26 A. 25 years.

27 Q. Louder please?

28 A. 25 years.

29 Q. Do you hold a permit from the Provincial  
30 Transport Board for your operations?







1 A. Yes sir.  
2 Q. Do you have this licence with you?  
3 A. Yes sir.  
4 Q. You hold a licence from the Quebec Transport  
5 Board Maritime Department, Licence No. 6N for Eugene and  
6 Andre Jeffrey operating as boatmen under the name of  
7 Eugene and Andre Jeffrey Registered. Can I have a copy?

8 A. Yes.

9 Q. I would like to produce a certified copy  
10 of this licence as Exhibit 577.

11  
12 ---EXHIBIT NO. 577: Certified copy of Licence No. 6N  
13 for Eugene and Andre Jeffrey Registered.

14 Q. How many boats do you have?

15 A. Two.

16 Q. For how long have they been operating?

17 A. One has been in operation for ten years  
18 and the other 25.

19 Q. What is the actual value of these two  
20 boats?

21 A. \$15,000.00 with the depreciation for one.

22 Q. I am sorry, I cannot hear the witness.

23 A. The one which is ten years old, \$15,000  
24 with the depreciation and the other about \$10,000. That  
25 is the one which is 25 years old.

26 \_\_\_ (The Chairman arrives)

27 Q. Could you tell us the improvements which  
28 you have put on your ships in the past five years?

29 A. Well anything which is necessary for a  
30 ship as far as equipment is concerned.





1 Q. Do you have rescue equipment?  
2 A. Everything which is necessary.  
3 Q. Have your ship boats been inspected by the  
4 Federal Department?

5 A. Yes.

6 Q. Do you have inspection certificates?

7 A. Yes sir.

8 Q. Do you have them with you?

9 A. Yes.

10 Q. If it please the Commission, one of the  
11 ship boats has been inspected in Quebec. Its name is  
12 St. Lawrence Star, official registration number 174855,  
13 8.3 tons, registered in Quebec, certified for 18 passengers  
14 and two crew members, a total of 20 persons. Limits  
15 are for trips from the Harbour of Quebec, between the  
16 Harbour of Quebec and the west point of the Island of  
17 Orleans during the normal navigation season.

18 This is a pilot ship which is connected with  
19 the pilotage station of Quebec and the certificate is  
20 good until November 30, 1963. The other pilot boat is  
21 not registered your lordship. It is a small boat, just  
22 a small boat permit No. 13D368 dated Quebec August 3, 1955.  
23 The tonnage of the register is 4.85 tons.

24 Now Mr. Jeffrey have your boats always been in  
25 the actual condition, with the same structure?

26 A. Yes.

27 Q. Do they have cabins?

28 A. Yes.

29 Q. For how long have your boats had cabins?

30 A. Well at least 20 years.





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TORONTO, ONTARIO

Jeffrey, dir.ex.  
(Jacques)

5856

1 Q. Before that there were no cabins?

2 A. No.

3 Q. Now during the past years did you receive  
4 any comment from the pilots on the service which you gave?

5 A. No, not at all.

6 Q. On the quality of your boats?

7 A. No, nothing.

8 Q. Did you ever have accidents?

9 A. No sir.

10 Q. Do you have insurance?

11 A. Yes sir.

12 Q. What kind of insurance do you have? If  
13 the Commissioner permits me, I will look at these insurance  
14 policies later on to examine what is the exact coverage of  
15 such insurance. Now if I understand, there are two boat  
16 companies here in Quebec. Can you tell me how you operate?

17 A. Well each have our own companies.

18 Q. Yes, and if a ship or a company has not  
19 requested a given boat --

20 A. We would take a chance and do it, go over  
21 to the company to provide our service.

22 Q. So you each have your companies with which  
23 you deal? Can you tell us which companies you have?

24 A. Cunard Steamship Company, Canadian Pacific Furn  
25 Withy , Dominion Coal, Kerr Steamship, Robert Reefer,  
26 Shell Oil, Atlantic Shipping.

27 Q. So you provide the service for the ships  
28 of these companies. You transport pilots aboard the ships  
29 of these companies? Besides the regular service which  
30 you have provided for these ships, do you provide service







1 for other ships?

2 A. No. Well if we are asked for it, yes.

3 Q. If you are asked for it. Does it happen  
4 that your services are requested to take a pilot aboard  
5 a ship of a company for which you do not work?

6 A. Well yes, this happens.

7 Q. Often?

8 A. Quite often, yes. I can give you the  
9 reason is that steamships come up, don't know which company  
10 they belong to so we take a chance and go there. If  
11 they belong to us, it is all right.

12 Q. What happens if it is not a company with  
13 whom you deal?

14 A. We give it to the other boatmen company.

15 Q. You give what?

16 A. We give the trip.

17 Q. You mean you make the trip and give the  
18 money to the other company?

19 A. Yes, if it is not one of our companies.

20 Q. So you collect --

21 A. Well we don't give the money but he  
22 collects it. We tell him that it was a ship of one of  
23 their companies so they are the ones who send the bill.

24 Q. So you are not paid for this one?

25 A. No sir.

26 Q. Does this happen often?

27 A. Quite often, yes.

28 Q. So you take the pilot aboard a ship and  
29 are not paid for it?

30 A. No sir.





1 Q. Have you tried to clarify this situation?

2 Have you tried to be paid for the work?

3 A. Well this has always been an agreement  
4 between the two of our boat companies. If I do this for  
5 them, they do it for me.

6 Q. And at the end of the year do you try to  
7 balance this?

8 A. No, this is an agreement which we have  
9 like this.

10 Q. How much do you charge to transport one  
11 pilot?

12 A. \$10.00.

13 Q. For one trip?

14 A. Yes.

15 Q. That is to take a pilot from the station  
16 to the ship?

17 A. Yes. The pilot was leaving the ship.

18 Q. This is included in the same trip, so it  
19 is \$10.00 for a return trip?

20 A. Yes sir.

21 Q. How many trips do you make every year?

22 A. This is quite difficult to say. I don't  
23 have the books with me. Some days we might have ten  
24 trips, some other days we might have fifteen.

25 Q. How many months a year do you work?

26 A. Eight months. From the 15th of February  
27 until the 10th of December.

28 Q. And in Winter when the ships need some  
29 pilots, who takes the pilots aboard?

30 A. I don't have any during the winter.







1 Q. And would Madame Vezina have some during  
2 the winter?

3 A. I think so, yes.

4 Q. Your ships are wooden ships?

5 A. Yes sir.

6 Q. They have an engine, of course?

7 A. Yes.

8 Q. Do they have radio-telephone?

9 A. No sir.

10 Q. Radar?

11 A. No sir.

12 Q. Nothing?

13 A. No, just the compass.

14 Q. The compass and the engine?

15 A. Yes.

16 Q. Besides this service which you render to  
17 the pilots, do you sell your service to other parties?

18 A. Well not exactly the same service but we  
19 do some rescue work. Sometimes we are called upon for  
20 rescue work.

21 Q. Does this prevent you from rendering your  
22 service to the pilots?

23 A. Not at all.

24 Q. Do you have difficulty sometimes in  
25 collecting your bills?

26 A. Not at all.

27 Q. Thank you. Your witness.

28

29 CROSS-EXAMINATION BY MR. LALONDE:

30 Q. Mr. Jeffrey you have mentioned I think that





1 you never had any accidents. You probably prefer to think  
2 that your boat has never been involved in an accident  
3 with any other ship but you had accidents with both your  
4 boats. Was there an accident three years ago where a  
5 pilot broke a leg aboard one of your boats?

6 A. Yes sir.

7 Q. Was there an investigation after this?

8 A. Yes.

9 Q. And was there an indemnity paid to the  
10 pilot?

11 A. I think so, yes.

12 Q. On this question your lordship will it  
13 be possible for the legal counsel of the Commission, when  
14 he looks at the insurance policies, if he could inform  
15 us if we have to prove neglect on the part of the owner  
16 to collect the indemnity or if this is covered in all  
17 cases.

18 THE CHAIRMAN: Well in such cases you  
19 can look at the policy yourself with the counsel of the  
20 Commission and you can read in the record the appropriate  
21 paragraphs.

22 Q. Do you tie ships? Did you do it before?

23 A. No. I am sorry, I made a mistake. Yes,  
24 we deal with that. At the present time we have orders  
25 from companies and then we ask for longshoremen.

26 Q. So you are sort of the middle man in such  
27 a case?

28 A. Yes.

29 Q. What happened before?

30 A. Yes, we did it. We used to take the lines





1 and tie the ships to the pier.

2 Q. What is the reason you ceased doing that?

3 A. Because of the longshoremen. This is their  
4 work and I don't want to take their work away from them.

5 THE CHAIRMAN: On the question of tying  
6 ships ashore, you say that you call upon the longshoremen  
7 to take the lines ashore?

8 THE WITNESS: Yes.

9 THE CHAIRMAN: Do you do it for the  
10 passenger ships?

11 THE WITNESS: For the liners, yes.

12 THE CHAIRMAN: For the liners you take lines  
13 ashore and then the longshoremen tie the lines.

14 Q. For ships other than liners what happens?

15 A. Well we just tell the longshoremen to go  
16 on the dock at such a time for the arrival of a ship.

17 Q. And these ships throw the lines directly  
18 on the dock?

19 A. Yes.

20

21 CROSS-EXAMINATION BY MR. BRISSET:

22 Q. Mr. Jeffrey in the case when liners are  
23 coming to dock, you take the line which is thrown into  
24 your boat by the liner and your crew takes this line  
25 ashore?

26 A. Yes sir.

27 Q. Do you have anything to do with longshore-  
28 men yourself? Are there any of your employees amongst  
29 the longshoremen? Are the longshoremen your employees  
30 or not?







1 A. For this kind of work they are my employees,  
2 yes.

3 Q. You are the one who pays them?

4 A. Yes sir.

5 Q. Before the longshoremen were concerned with  
6 this work, who was doing this work and who was getting  
7 paid for it?

8 A. We had employees doing that.

9 Q. Employees who were not longshoremen?

10 A. No sir.

11 Q. When did you change that system?

12 A. About 5 or 6 years I think. I cannot say  
13 exactly.

14 Q. Thank you.

15 THE CHAIRMAN: Any other questions? We  
16 will deal with another witness and later you will read  
17 into the record the parts of the insurance policies.

18 MR. JACQUES: I want to inform the Commission  
19 that these are not maritime insurance policies; just  
20 ordinary public liability insurance.

21  
22 RE-EXAMINATION BY MR. JACQUES:

23 Q. Now Mr. Jeffrey how many crew members do  
24 you have on your largest boat?

25 A. Two men.

26 Q. And what do they do?

27 A. One captain and one engineer.

28 Q. Does your captain hold a certificate? Who  
29 is the captain aboard this ship?

30 A. Well myself on my ship.





1 Q. Yourself?

2 A. Yes sir.

3 Q. What kind of a certificate do you hold as  
4 a captain?

5 (Answer inaudible to interpreter)

6 Q. So you have temporary captain's licence  
7 7100 17463 to 17464 and you can act on engine ships of no  
8 more than 40 tons and transporting passengers. Now  
9 the engineer, you have said that it was your brother?

10 A. This is myself also.

11 Q. This is yourself? You have both certif-  
12 icates?

13 A. It is the same thing for my brother.

14 Q. Your brother also has two certificates?

15 A. Yes.

16 Q. And it is yourself and your brother who  
17 act as captain and engineer aboard your boats. And the  
18 other employee, what does he do?

19 A. Well for instance, when I am on duty, I  
20 am the captain. My brother is the engineer and the other  
21 one can be a crew member.

22 Q. So it is always your brother and yourself?

23 A. Yes.

24 Q. And does the employee work aboard?

25 A. Yes, as a crew member.

26 Q. So you have always two aboard the boat  
27 when the boat goes out?

28 A. Always two.

29 Q. Never alone?

30 A. Never.







1 Q It is always you and your brother or one  
2 of the two of you and your employee?

3 A. Yes.

4 Q And your brother is Joseph Paul Andre  
5 Jeffrey and the number of his licence 7099, issued 18, for  
6 63, verified 17, 4, 64 for the same class of ship as for  
7 your case. Now do you use one of the other of your boats?

8 A. For pilotage we use the St. Lawrence tug.

9 Q This is the biggest?

10 A. Yes.

11 Q There is a cabin?

12 A. Yes.

13 Q. Is the cabin open in the back?

14 A Yes.

15 Q. There are two exists?

16 A. There are wo exists.

17 Q. I don't want to know if there is a door,  
18 but if there is a wall at the back of the cabin?

19 A. Yes, there is one.

20 Q. Now does the department charge anything to  
21 tie your boats, to dock your boats at the pilotage  
22 station?

23 A. Well, the only thing I can say is we pay  
24 navigation fees to the Government right now. We pay \$25.00  
25 a year to the Government.

26 Q. You don't know exactly what for?

27 A. Well this is for navigation fees.

28 Q But you would not pay anything for docking  
29 your boats at the pilotage station?

30 A. No.





1 Q. Now do you look after the dockage?

2 A. No, I just look after my boats. That is  
3 all.

4 Q. You have offices on the dock near the  
5 pilotage station?

6 A. Yes sir.

7 Q. Now these offices are on the public docks  
8 which belong to the harbour, small houses, let us say  
9 shacks which are on these piers, would they belong to  
10 you?

11 A. To myself, yes.

12 Q. For how long has this kind of cabin or  
13 shelter been there?

14 A. Well they have been there for more than  
15 32 years because I have been working for 32 years and  
16 they were there when I started.

17 Q. Do you pay any kind of fees to have those  
18 cabins?

19 A. We pay taxes to the City.

20 Q. What kind of taxes? What kind of tax is  
21 it?

22 A. It is municipal taxes.

23 Q. Is it a business tax?

24 A. I don't think so. I couldn't tell you  
25 exactly. I don't have the papers with me.

26 Q. How much a year?

27 A. \$21.60 a year.

28 Q. For the year?

29 A. Yes.

30 Q. And you pay this to the City of Quebec?





1 A. Yes.

2 Q. Thank you.

3 THE CHAIRMAN: Excuse me, has the question  
4 been asked if there was a permit from the Provincial Tran-  
5 sport Board?

6 MR. JACQUES: Yes your lordship such permit  
7 has been produced as Exhibit 577. I also have, your  
8 lordship, a copy of the registration of the company before  
9 Paul Grenier, Public Notary in Quebec. Would your lord-  
10 ship want this document produced?

11 THE CHAIRMAN: Perhaps you could read it.  
12 It is not necessary to produce it.

13 MR. JACQUES: Right your lordship. The  
14 reference is Volume 36, Folio 410, Superior Court, District  
15 of Quebec and the declaration bears the date of April  
16 22, 1953 before Paul Grenier, Notary, have appeared  
17 Messrs. Eugene Jeffrey Junior and Andre Jeffrey who are  
18 in business together under the name of Eugene and Andre  
19 Jeffrey as boatmen serving the maritime companies. No  
20 other person is associated with them. Thank you sir.

21 Now Mr. Jeffrey you have given me insurance  
22 policies which both expire on April 1st, 1962 so they  
23 are no longer valid.

24 A. Yes, they are still good.

25 Q. Speak much louder.

26 A. I think they are still valid.

27 Q. You think they are valid but you are not  
28 sure?

29 A. Well I would like -- I would have to get  
30 more information because if you permit me, my secretary







1 is here. I can ask her.

2 Q. Yes, you can ask the Secretary to testify  
3 afterwards. Now the insurance policies, they are not  
4 maritime policies. This covers management responsibility.  
5 Now this is only for your employee relationship.

6 A. I don't know. I am not aware what kind of  
7 insurance.

8 THE CHAIRMAN: Now as far as Exhibit 577  
9 is concerned, just a minute please, I see that there is  
10 in there hourly scale which is annexed here as annex A.  
11 It might be a good thing to complete the documents by  
12 including annex A in the record.

13 MR. JACQUES: Yes your lordship. As far  
14 as these documents are concerned, I wanted to ask the  
15 Provincial Transport Board to give us a certified copy  
16 of all the files that the Board has on the boatmen from  
17 Quebec, Three Rivers and others in the Province of Quebec.

18 THE CHAIRMAN: You will do that?

19 MR. JACQUES: Yes your lordship.

20 THE CHAIRMAN: Fine, very good.

21 MR. JACQUES: Thank you. Mr. Allard.

22

23 HENRI ALLARD, sworn

24 DIRECT EXAMINATION BY MR. JACQUES:

25 Q. Mr. Allard yesterday we discussed the  
26 radio-telephone in the Harbour of Quebec and I think we  
27 were discussing this in relation to the control of move-  
28 ment of ships in the harbour?

29 A. This is right.

30 Q. Now what is the nature of the control which





1 you exercise presently upon the movement of ships?

2 A. At the present time the only control which  
3 we have is the control on the ships which come to dock.  
4 We have no control on ships which are manoeuvring within  
5 the limits of the harbour, outside of the docks, of the  
6 piers.

7 Q. Now consider this, is it your intention  
8 to try to exercise a control on the ships who are not  
9 at dock?

10 A. Yes, it is our intention to control any  
11 ship which has any movement within the limits of the  
12 harbour.

13 Q. Could you please describe for the Commission  
14 the extent of this control which you ought to have,  
15 and the reasons?

16 A. For instance, it is our intention to modify,  
17 to ask for modification of the regulations of the National  
18 Harbours Board for the Harbour of Quebec so that any  
19 ship which enters or passes the limits of the Harbour  
20 must report to the Harbour Master in order to receive  
21 instructions and be told he can proceed to enter to a  
22 given place, to come up to the dock or just to go through  
23 the harbour.

24 Q. At the present time it is not being done  
25 even for the ships in transit?

26 A. Yes, this is necessary so this way with  
27 this kind of supervision and control we will be in a  
28 position to avoid that when a ship leaves or enters the  
29 basin that it wouldn't be bothered by the movement of  
30 other ships in circulation in the harbour.







1 Q. Is this the only reason?

2 A. Of course with the control we come to the  
3 security of the harbour. If we exercise the control we,  
4 of course, always keep in mind the question of the  
5 security of the harbour.

6 Q. Now, with the control which you exercise  
7 at the present time do you have that security in the  
8 harbour that Montreal has?

9 A. We have -- I will give an example, if a  
10 ship is leaving St. Charles River, even if there are some  
11 signals it could happen that such signals are not plain  
12 and if there is other ships in transit going up and down  
13 and they wouldn't see the other ship which is coming out  
14 of St. Charles River or the Basin and we might have a  
15 collision.

16 Q. To your knowledge during your term of  
17 office as Pilot Supervisor or Harbour Master have  
18 accidents like that happened?

19 A. To my knowledge no accident of the nature  
20 has arisen, and I think we have been lucky.

21 Q. Do you have control over the speed of ships?

22 A. The regulations in the Harbour give us  
23 the maximum speed of 9 knots in the limits of the Harbour  
24 for any ship except those who have explosives and those  
25 who have explosives don't travel at more than 6 knots.

26 Q. Do people break these rules?

27 A. Yes, some people do break these rules,  
28 but at the present time we have no launch to patrol, and  
29 when we have complaints we try to make an inquiry to find  
30 out if those complaints are justified.





1 Q. You say you have no controls. Do you have  
2 any other means to check the speed of ships?

3 A. No, we have no way of checking them.

4 Q. When you make an inquiry how do you es-  
5 tablish the speed?

6 A. By looking at the ship's log or the movement  
7 of the ships on board.

8 Q. Has it happened to you to carry out in-  
9 quiries of this nature?

10 A. Not since I am employed by the National  
11 Harbours Board.

12 Q. Was there a procedure before?

13 A. I couldn't say that.

14 Q. Does the National Harbours Board have  
15 control of the use of tugs?

16 A. None except in the case of emergency  
17 the National Harbours Board has the possibility of hiring  
18 tugs to move a ship or something like that at the expense  
19 of the person who is moving the ship.

20 Q. From your knowledge concerning the files  
21 of the Harbour Board has it happened that a ship is  
22 obliged to have a tug?

23 A. Not to my knowledge.

24 Q. You can also oblige a ship to take a  
25 pilot. To your knowledge has it happened that you would  
26 require the ship to take a pilot?

27 A. Not to my knowledge.

28 Q. Are you familiar with the docking operations  
29 in the St. Charles River and St. River, do you  
30 have any delays happen?





1 A. Well, there might be delays such as this:  
2 for entering in the Basin, Inland Basin entries, and out-  
3 goings take place one hour before high tide high tide.

4 Q. This is for the Inland Basin?

5 A. For the St. Charles River some pilots don't  
6 want to enter when the tide is coming in and they wait  
7 until the tide is going out.

8 Q. Do many pilots refuse to go into the Basin  
9 when the tide is coming up?

10 A. Well, a pilot can refuse to go in the  
11 St. Charles when the tide is coming up at a given time  
12 because of winds, because at the place where he is to go  
13 wouldn't have, there wouldn't be enough left for his  
14 ship because of ships before and behind.

15 Q. Can I ask the question another way, is it  
16 frequent for a pilot to refuse to enter in the St. Charles  
17 Basin on incoming tide?

18 A. I can't state it is frequent, but it happens  
19 often.

20 Q. Is this attitude peculiar to some particular  
21 group of pilots?

22 A. As far as we are concerned National Harbours  
23 Board, we never know why a ship is necessarily going to  
24 delay docking. A ship's agent is going to tell us a  
25 ship will come in at such and such a time. He might re-  
26 quire an anchorage before docking. We are not so much  
27 concerned by the fact that he is coming in with the  
28 incoming tide or down tide.

29 Q. Are you concerned by the delays concerning  
30 ships docking?







1 A. Yes, because sometimes we have several ships  
2 who are waiting at anchorage to have a dock so we want to  
3 free all docks in order to accommodate the other ships.

4 Q. To your knowledge have there been any delays  
5 since you have been Harbour Master, any delays in docking,  
6 it doesn't matter the cause.

7 A. There have been some delays.

8 Q. Did you make an investigation of these  
9 delays?

10 A. No.

11 Q. Did these delays cause any inconvenience  
12 to National Harbours Board?

13 A. Sometimes, yes.

14 Q. What inconvenience?

15 A. Inconvenience such as this, for instance,  
16 a delay does not enable us to free a dock or enable  
17 another ship to dock.

18 Q. Has it happened that you have found yourself  
19 in that particular situation?

20 A. Not since I have been Harbour Master.

21 Q. It is only a possibility. Are you aware  
22 there exists a system of communication and information  
23 concerning the National Harbours Board and the Pilots,  
24 for instance concerning the hours of entering in the  
25 Basin, the depth of water available in the Harbour or the  
26 works being carried out in the Harbour?

27 A. There is a little communication, I would  
28 even say communion between the Pilotage and the National  
29 Harbours Board.

30 Q. This applies when you have been Supervisor





1 of Pilots and now that you are Harbour Master?

2 A. Well, I would say yes.

3 Q. Have there been any requests made for  
4 greater communication?

5 A. Yes, attempts have been made and I think  
6 that at the present time we will reach a greater collabora-  
7 tion between the National Harbours Board and the pilots.

8 Q. These attempts between these two bodies  
9 concerned what subject?

10 A. Interviews have been organized between  
11 the top authorities and the pilots on questions such  
12 as anchorage in the Harbour of Quebec, signal systems to  
13 indicate ships coming out of the Basin or the St. Charles  
14 River. There have been requests made by Pilotage  
15 to have telecommunication systems -- radio-telephone  
16 system to enable pilots to have information from the  
17 Harbour Master's office.

18 Q. These conversations between the two bodies  
19 go back to what period?

20 A. One year, about that.

21 Q. These talks have started for about a year?

22 A. Yes.

23 Q. Do you know if attempts to set up negot-  
24 iations such as these have been made before?

25 A. Yes, I think they have been made before,  
26 but they weren't successful.

27 Q. On what do you base that? Have you learned  
28 that from the files?

29 A. Yes, from files that I have in my office.

30 Q. Does the Harbours Board sometimes require







1 pilots to do security watches?

2 A. To my knowledge no, this never happened.

3 Q. I think you were asked for a list of  
4 accidents to port installations during the past five  
5 years. Did you prepare that?

6 A. Yes.

7 MR. JACQUES: My lord, I would like to file  
8 this list of accidents having caused damage to port  
9 installations as Exhibit 578.

10

11 ---EXHIBIT NO. 578: List of Ships having caused damage  
12 to port installations in the past  
13 5 years.

13

14 MR. JACQUES: This is Exhibit 578. Did you  
15 prepare it yourself?

16 A. Yes, with the assistance of our legal  
17 advisor and the Treasurer's Office

18 Q. Where did you get the information from?

19 A. Well, in the files of our legal advisor.

20 Q. This list is self-explanatory, name of  
21 ship in the first column, then the date of the accident,  
22 the third column, the name of the pilot and the 4th column  
23 the nature of the damage. The nature of the damage,  
24 who prepared this declaration of the nature of damage  
25 which is contained in this exhibit?

26 A. Well, this statement comes from the  
27 files. When damage is done to port installations there  
28 is an investigation organized by the National Harbours  
29 Board to make an estimation of the damage and to find  
30 out who has to pay for most damages.





1 Q. And nature of damages extracted from your  
2 files?

3 A. Yes, that is correct.

4 Q. The first entry is the Grey Master ground  
5 at Quay No. 25 and touches end of the Quay. There are various  
6 mentions under estimation where it says unknown.

7 A. Well, when it is written unknown it is  
8 because there has not been final settlement made con-  
9 cerning expenditures incurred for damages.

10 Q. I see two items concerning 1956, the  
11 Grey Master and the Kongsholm and the estimates say un-  
12 known. To your knowledge are these still being studied?

13 A. (No Answer).

14 Q. Does this list contain all the accidents  
15 to port installations during the past 5 years?

16 A. Yes, to my knowledge from the files I  
17 have seen, yes.

18 Q. Do you participate in the maritime invest-  
19 igation or inquiries made by the Department of Transport  
20 of these accidents?

21 A. To my knowledge the National Harbours  
22 Board has never been invited to participate in an inquiry  
23 made by the Department of Transport.

24 Q. I see the next is the Vibex, an oil  
25 tanker grounded in the Harbour of Quebec the contents of  
26 which are caused damage. Did you make your own inquiry  
27 in that case?

28 A. I think that the National Harbours Board  
29 has made an inquiry in this matter.

30 Q. Now, under the column, pilot, when you





1 say unknown, what does that mean?

2 A. That means that the National Harbours  
3 Board is not concerned, is not interested in knowing  
4 whether there is a pilot on board or not. It is only  
5 accidental we have the name of the pilot in the place  
6 where the name is mentioned.

7 Q. So when you say unknown it doesn't nec-  
8 essarily mean there was no pilot?

9 A. No, there might have been a pilot, but to  
10 our knowledge we don't know.

11 MR. JACQUES: Thank you, your witness.

12 THE CHAIRMAN: Before starting, Mr. Lalonde,  
13 I should like to have the limits of the Harbour

14 MR. JACQUES: The Harbour Engineer will  
15 establish that in a while.

16  
17 CROSS-EXAMINATION BY MR. LALONDE:

18 Q. Captain Allard, you have participated  
19 when you were Supervisor of Pilots at a meeting, joint  
20 meeting with the Director of the Harbour, Mr. Bousquet,  
21 and the Harbour Master, Mr. Fraser, as well as repres-  
22 entatives of Quebec and Montreal Pilots in order to dis-  
23 cuss improvements to the Harbour of Quebec?

24 A. That is correct.

25 Q. I think you have mentioned that this  
26 meeting took place around July, 1962?

27 A. More or less.

28 Q. I have here a letter dated June 16, 1962  
29 and which is addressed to you by Mr. Gaston Rousseau,  
30 President of the Pilots' Association. Can you tell me







1 if the contents of that letter are in conformity with the  
2 meeting that took place and the date indicated for that  
3 meeting is also correct?

4 A. Yes, this is in full accordance.

5 Q. If I understand correctly the meeting  
6 took place on June 4th, 1962 and Mr. Bousquet, Mr. Fraser  
7 and representatives of the Pilots' Corporations of  
8 Montreal and Quebec and yourself were present?

9 A. That is correct.

10 Q. May I file my lord this as Exhibit 579.  
11 entitled letter by Mr. Gaston Rousseau to Captain  
12 Allard, Pilot Supervisor of Quebec dated June 15th, 1962.

13  
14 EXHIBIT NO. 579: Letter by Mr. Gaston Rousseau to  
15 Captain Henri Allard, Pilot Sup-  
16 ervisor of Quebec, dated June 15,  
1962.

17 Q. I note that the first recommendation  
18 concerns your request to the effect that all traffic in  
19 the Harbour of Quebec be under the control of the Harbour  
20 Master, that is all entries and departures to the  
21 entries and exits to the St. Charles River and Basin  
22 be made known, directions given by radio-telephone, if  
23 necessary, and that his office be open 24 hours a day so  
24 one might be able to communicate at any time with it.  
25 Were these the terms of the agreement or the conclusions  
26 reached by the meeting?

27 A. Yes, at that time the Director of the  
28 Harbour, Mr. Bousquet seemed to be favourable to that request.

29 Q. Now, I show you a letter from the file of the  
30 National Harbours Board in Quebec addressed to Mr. Paul





1 Bousquet, July 3, 1962 and signed by Mr. Adelard  
2 Trembay, Montreal Pilotage Association. Can you tell  
3 me by looking at this letter if you have seen it in your  
4 files since you have been employed?

5 A. Yes, I have seen it in the files of the  
6 Commission since I have been at the Harbour, but I have  
7 also received a copy of this particular letter last year  
8 when I was Pilot Supervisor.

9 Q. I note that this letter has the first  
10 recommendation along the lines of the letter of the Pilots  
11 of Quebec recommending that the Harbour Master control  
12 all the movements of ships in the limits of the harbour  
13 including assignment of ships to various wharves.

14 May I file this, my lord, as Exhibit 580.

15  
16  
17 --EXHIBIT NO. 580: Letter dated July 3, 1962 to Mr.  
18 Paul Bousquet from Mr. Adelard  
19 Tremblay.

20 Q. If I am not mistaken this recommendation  
21 is a result of other negotiations made by Pilots of  
22 Quebec with the National Harbours Board. Are you aware  
23 of these discussions?

24 A. Yes, according to the files there had  
25 been some representations made.

26 Q. You have studied the National Harbour  
27 Board's files?

28 A. No, it is not the National Harbours Board  
29 file I have studied, but the Pilotage files.







1 Q. During the discussion that took place  
2 was it not mentioned that there was a need for installation  
3 of lighted signals in particular in the exits of  
4 the St. Charles Basin and River. Is it not true that this  
5 request had been made by the pilots for a number of years?

6 A. That is correct.

7 Q. Is Mr. Beaudry still employed by the  
8 National Harbours Board?

9 A. To my knowledge he is not working for the  
10 National Harbours Board in Quebec any more.

11 Q. Could you check, Mr. Allard, in the files  
12 of the National Harbours Board and see if the National  
13 Harbours Board has got a recent request to that effect,  
14 dated January 25, 1951 by letter addressed to Mr. Louis  
15 Beaudry on February 13, 1953 addressed to Mr. Louis  
16 Beaudry.

17 This letter states in particular, signed by  
18 Mr. Wilfred Menard, and this states that some accidents  
19 took place at that particular place and that the situation  
20 has remained the same and that the pilots do not want  
21 to assume the responsibility if any more accidents take  
22 place.

23 A. You have mentioned only the lighted signals  
24 at the entry of the Basin and in the St. Charles River.

25 Q. Another letter March 2, 1953 addressed  
26 to Mr. J. K. LaFlamme, Secretary and Legal Advisor of  
27 the National Harbour Board, signed by Mr. Wilfred Men-  
28 ard, giving a list of accidents which took place in  
29 that particular place. A letter dated November 12, 1951  
30 addressed to Mr. Louis Beaudry on the same subject.





ch 1 Letter dated November 27th, 1951 addressed again  
2 to Mr. Louis Beaudry.

3 COMMISSIONER SMITH: I wonder if I might  
4 interrupt to ask the witness a question?

5 I think this was partially answered before when  
ish 6 Mr. Jacques asked you about Harbour regulations concerning  
7 the movement of ships approaching, and tying up to  
8 Harbour Board facilities and the answer, if I understood  
9 it, was that there were not any but I am wondering if  
10 there are any precautions that the Harbour Board takes  
11 in connection with ships that tie up at Harbour install-  
12 ations without a pilot. I am thinking of exempt ships  
13 and also others that come in, pay dues but are not  
14 carrying a pilot. What precautions does the Harbour  
15 Board take to guarantee the safety of their installations  
16 in those instances, if any?

17 THE WITNESS: As far as I know, there are  
18 no precautions taken. We are not concerned when we allow  
19 a ship to dock, we are not concerned whether there  
20 is a pilot on board or not.

21 THE CHAIRMAN: As a matter of fact you may  
22 not know whether there is one aboard.

23 THE WITNESS: As a matter of fact, we  
24 are never sure if there is one on board or not.

25 COMMISSIONER SMITH: To understand that,  
26 so far as the Harbour Board is concerned they are in-  
27 different to the question of safety of navigation and  
28 the safety of their installation?

29 THE WITNESS: In our regulations there is  
30 nothing concerning whether a ship should have a pilot or







1 not in the harbour.

2 COMMISSIONER SMITH: You are not concerned  
3 whether the ship was operating with a pilot or not when  
4 she docks?

5 THE WITNESS: That is right.

6 THE CHAIRMAN: It has been brought to my  
7 attention it is easy to find out, of course, by looking  
8 whether the flag is there or not, the pilot's flag.  
9 Of course, that is providing the ship is in sight.

10 MR. LALONDE: And that it is not too late  
11 at night.

12 Q. To complete the correspondence, a letter  
13 dated April 15, 1957 addressed to Mr. Louis Beaudry by  
14 Mr. Menard.

15 A letter August 20, 1957 addressed to Mr.  
16 Beaudry by Mr. Menard and a letter April 12, 1960 address-  
17 ed to Mr. Louis Beaudry by Mr. Wilfred Menard.

18 If this correspondence is in your files, would  
19 it be possible for you to produce this before the  
20 Commission. This would be the original of such corr-  
21 espondence?

22 A. All right. Is it only copies of the letters  
23 received by Mr. Beaudry or Mr. LaFlamme with their answers  
24 or do you want a copy of the letter itself?

25 Q. I think that for the information of the  
26 Commission it will be interesting to have the answers  
27 to each letter, when they have been answered?

28 THE CHAIRMAN: Of course, it would not be  
29 necessary to have the originals as long as we have  
30 certified copies.







1 THE WITNESS: All right.

2 Q. Did you take this recommendation into  
3 account, or has this recommendation been replaced by the  
4 project of setting up a radio-telephone system?

5 A. The process of improving the signal system  
6 at the entrance of the Basin and at the entrance of the  
7 St. Charles River has been done away with for the in-  
8 stallation of the radio-telephone system.

9 Q. Was this done in agreement with the inter-  
10 ested pilots, that is pilots from Montreal and Quebec?

11 A. According to my knowledge, yes.

12 Q. Thank you very much.  
13

14 CROSS-EXAMINATION BY MR. LANGLOIS

15 Q. Mr. Allard, you have mentioned yesterday  
16 afternoon and this morning the installation of radio-  
17 telephone equipment. Do your files also show at the National  
18 Harbour Board, that such an installation had been requested  
19 for a number of years by the Ship Owners Association of  
20 St. Lawrence Incorporated?

21 A. I have never been made aware of such a  
22 request.

23 Q. Now as far as your list of accidents is  
24 concerned, I see that the reason for the accident is  
25 not indicated. Did you conduct an investigation on the  
26 causes of such accidents?

27 A. Well in the files which we have in the  
28 National Harbour Board at the present time, there is no  
29 trace of the causes of accidents.

30 Q. If I understand properly, your organization





1 does not conduct investigations to find out what are  
2 the causes of such accidents?

3 A. No, only the results of the accidents.

4 Q. Now still on the question of this list,  
5 Exhibit 578, looking at this list it appears that certain  
6 ships did not have any pilots on board. As it is, for  
7 instance, in the case of the Donacona. Do you know the  
8 ship? You have been Pilot Supervisor?

9 A. No, the Donacona doesn't take any pilot.

10 Q. Would the C.G.S. Montcalm be the third  
11 ship that doesn't take any pilots aboard?

12 A. Probably, yes.

13 Q. Would the Donaldo L?

14 A. Quite probably, yes.

15 Q. Now in the same list we are talking about,  
16 the S. S. Vibex, which touched the bottom, I have a  
17 letter which was addressed June 6, 1961 to Mr. Louis  
18 Beaudry, Manager of the Harbour of Quebec, of the National  
19 Harbour Board and signed by Mr. Wilfred Menard, Secretary-  
20 Treasurer, reading as follows:

21 "For an interview with the Pilots'  
22 Administration Board of the District  
23 of Quebec, Montreal, these are the  
24 spots where there are interferences  
25 and if this was changed, there could  
26 be improvements in the movement of  
27 ships in Quebec. Tankers and ships  
28 with explosives must anchor at Port  
29 Martineau shore St. Nicholas.

30 Ships waiting to go to dock and







1 which must go back within the next 36  
2 hours, must anchor at an official anchorage,  
3 Three barges waiting to dock and which must  
4 dock after waiting 36 hours must anchor  
5 by buoy 12 Que, east of the Sillery dock.

6 I hope that you will study this  
7 question.

8 Yours truly,

9 Wilfred Menard,  
10 Secretary-Treasurer"

11 Have you been made aware of this letter?

12 A. Yes.

13 Q. Did you find it in your files?

14 A. Yes.

15 Q. Would you tell us if you know if there  
16 has been an answer to this letter?

17 A. I have not seen the answer.

18 Q. This letter was sent before the accident  
19 of the Vibex, which, according to your list here,  
20 took place on October 13 and this letter was sent on  
21 June 6 and I understand that according to your files there  
22 has been no answer to this letter?

23 A. I don't remember having seen an answer  
24 to this letter.

25 Q. Now in your study of the files of the  
26 Harbour of Quebec, do you also have or did you find any  
27 recommendations from the St. Lawrence Ship Owners  
28 Association as far as the question of ships loaded with  
29 explosives going to dock in the harbour?

30 A. Well I think I have been with the National





1 Harbour Board for a very short time only and I did not  
2 have time to go back in the files and to read everything.  
3 Up to date I have not seen a recommendation to that effect.

4 Q. Thank you Captain.

5  
6 CROSS-EXAMINATION BY MR. MAHONEY:

7 Q. Captain Allard, I understand that you  
8 assign ships to certain wharfs or quays on the advice of  
9 the ship's agent if they are docking in Quebec, is that  
10 correct?

11 A. That is right.

12 Q. Is it not true, however, that not all ships  
13 docking in Quebec have agents in the city?

14 A. It might be true. For instance, lakers  
15 usually do not have any agents here in Quebec.

16 Q. In that case do you have any difficulties  
17 or certain delays occasioned to the ship by reason of  
18 the fact that there is no agent to get in touch with?

19 A. Most lakers who will call and dock at  
20 Quebec, will come here with a load of grain, for instance.  
21 In that case there is no problem because everything has  
22 been arranged with Montreal before their departure  
23 and we know, and they know that on arrival here there  
24 will be such and such a dock available to them.

25 Q. Will the installation of your radio-telephone  
26 then be of any assistance in eliminating any possible  
27 delays?

28 A. I think it will be a great help.

29 Q. You do not think it is a serious problem,  
30 this question of delays?







1 A. Well yes, I think the Lakers had the  
2 problem there because they never know before arriving  
3 here -- well I shouldn't say never, but most of the time  
4 they were not sure if their berth would be available  
5 on their arrival. With the radio-telephone we will be  
6 able to communicate with them and tell them to proceed  
7 alongside or to go to anchorage until such and such a  
8 time.

9 Q. There has never been any other source of  
10 information, in other words, available to them until the  
11 installation of this radio telephone?

12 A. Not to my knowledge.

13 Q. Thank you very much.

rench14

15 CROSS-EXAMINATION BY MR. BRISSET:

16 Q. Mr. Allard you told us during your  
17 testimony yesterday that when the new system to control  
18 traffic in the harbour was discussed between the authorities  
19 and the concerned parties that ship owners had also  
20 been consulted and I see that they were not present at  
21 the meeting which has been mentioned during your testimony  
22 a while ago.

23 At what time did you consult the ship owners  
24 or have they been consulted at all, as a matter of fact?

25 A. According to my knowledge the ship owners  
26 have been consulted only since a few months, in last  
27 May or last June in order to find out if a radio-  
28 telephone equipment would be useful for their ships here  
29 in Quebec.

30 Q. Did you have a meeting with them, a meeting







1 for which you would have minutes?

2 A. No. According to my information there  
3 has been no meeting. It is just through conversations  
4 that question has been discussed.

5 Q. Could you tell me with whom you had those  
6 conversations, those discussions?

7 A. Well I cannot tell you exactly with whom  
8 but I remember I discussed it with the agent for Watts  
9 and Watts, Canadian Importers certainly, Ramsey Greig.

10 Q. Now these were various conversations,  
11 discussions during the last two months?

12 A. Well during the conversations which we  
13 had with them, we have mentioned this problem.

14 Q. What was the reaction of ship owners to  
15 your suggestion to the kind of control you are proposing?

16 A. Well they think this is a necessity.

17 Q. Now I think I can understand from your  
18 testimony that up to about a year ago there was no liaison  
19 or very little liaison between the authorities of  
20 the Harbour and the Pilotage Authority and there has  
21 been improvement in this field?

22 A. Yes, that is right.

23 Q. Do you think that in fact in order to carry  
24 out properly the proposed scheme you should have very  
25 close liaison with the pilots of the Pilotage Authority?

26 A. Certainly. There should be a very close  
27 co-operation.

28 Q. I think it is true to say, if this is  
29 not the case you will tell me, I am sure, that ocean-  
30 going ships which come here in Quebec have a pilot aboard





1 whether they are going up or down the St. Lawrence  
2 River?

3 A. Yes.

4 Q. I think that you take this for granted?

5 A. To my knowledge, yes.

6 Q. So then as far as the ships are concerned,  
7 it would be entirely necessary that you would have this  
8 co-operation from the pilots in order to be able to  
9 control the traffic?

10 A. Yes, and I think that if the control of  
11 the harbour was exercised jointly with the assignment  
12 of pilots aboard ships, I think there would not be  
13 as many delays for the ship owners.

14 Q. In other words, what you are thinking about  
15 is a combined operation, if I can use this expression,  
16 in order not to control the traffic as far as safety is  
17 concerned but also to accelerate the traffic, to bring  
18 the ships to dock in a quicker manner, and so forth?

19 A. Yes, because everything which concerns  
20 the harbour, concerns directly or indirectly pilotage.

21 Q. As far as safety is concerned you have  
22 spoken to us about regulations of the Harbour which says  
23 that the maximum speed for ships is 9 miles an hour. You  
24 are aware of the fact that there have been some infractions  
25 of this regulation. It has not always been followed in  
26 the past?

27 A. Yes, I know that.

28 Q. According to your new system of control do  
29 you think of trying to set up a means of controlling speed  
30 in the harbour?







1 A. It would be relatively easy. For instance,  
2 if a ship has to report when he goes through the limits  
3 of the Harbour, it gives the time when it, when the ship  
4 reports, the time when the ship goes through the limits  
5 of the Harbour, enters the Harbour and at a given point  
6 verify the time at which the ship goes through a certain  
7 point and we would be able to figure out the speed the  
8 ship went through the limits of the Harbour.

9 Q. Now when this regulation about speed has  
10 been violated in the past, did the authorities of the  
11 Harbour, according to your knowledge, get in touch with  
12 the Pilotage Authority on this question and report this  
13 violation to them?

14 A. Well during the time when I was Supervisor  
15 of Pilotage I do not recall that I had any discussion  
16 with the Harbour on this question.

17 Q. Do you know in the past 2 or 3 years if  
18 there have been disciplinary measures which would have been  
19 taken for violation of the speed limit?

20 A. I don't know of any.

21 Q. In other words, you have a regulation  
22 in the National Harbour Board by-laws and this is a  
23 regulation which in fact is not enforced?

24 A. Well this is not, the enforcement of  
25 the regulation is not controlled.

26 Q. Well the regulation is there but no  
27 effect is given to it?

28 A. This is right.

29 Q. So that the Harbour Authorities could  
30 enforce the regulation. Do you agree that the authorities





1 should have more control on the pilots even in the  
2 field of disciplinary measure?

3 A. I think that simple co-operation would  
4 be sufficient and all ships which violate the speed limit  
5 do not all have a pilot aboard.

6 Q. In the case of accidents within the limit  
7 of the harbour, do you think it would be to the common  
8 interest to see the authorities of the harbour take part  
9 in the investigation conducted by the Pilotage Authority?

10 A. I think so.

11 Q. In other words, the Authorities of the  
12 Harbour are also interested to determine what was the  
13 cause of the accident and take measures to improve the  
14 situation, if it is possible?

15 A. Yes.

16 Q. According to your experience this has never  
17 been done in the past?

18 A. According to my knowledge this has never  
19 been done.

20 Q. The list which you have produced as  
21 Exhibit 578, Mr. Allard, does not include, of course,  
22 the accidents which would have taken place in the limits  
23 of the harbour and which did not create any damage to the  
24 properties of the harbour?

25 A. That is right.

26 Q. Now was the accident of the Vibex  
27 included because there was damage caused to the installa-  
28 tion of the harbour?

29 A. Yes.

30 Q. Because of the oil that was lost and which







1 was floating around in the harbour?

2 A. This is right.

3 Q. Can you tell me why, in most cases, you  
4 do not indicate except with the word "unknown" if there  
5 was any pilot aboard the ship? Is it because the files  
6 have not been verified? What is the reason for that?

7 A. No, in our files we are not concerned in  
8 knowing if there is or if there is not a pilot on  
9 board a ship which had an accident. In the past we  
10 were not concerned with that.

11 Q. So can I say this is another example of  
12 the lack of liaison, when these accidents take place,  
13 between the Harbour Authorities and the Pilotage  
14 Authorities?

15 A. You could not even know if there was a  
16 pilot on board them.

17 Q. On conducting an investigation?

18 A. Well probably at the time of this accident  
19 or accidents which are mentioned in this list, probably  
20 at that time the Harbour Authorities were not interested  
21 to go back to the reason of the accident.

22 Q. I have counted 32 accidents, the dates  
23 of which are shown on your list and referring to my own  
24 knowledge of the names of the ships which are mentioned  
25 on the list, I think it would be fair to say that there  
26 would be only 5 cases in which there would not be any  
27 pilots aboard. That would be the 4 cases mentioned  
28 by Mr. Langlois and the other two, 6 cases out of 32  
29 where there would have been no pilot aboard.

30 A. Well on this list you will notice that







1 there are ~~cases~~ of incidents, the bridge of the ship which  
2 was broken, something like this which could very well  
3 take place without a pilot being on board.

4 Q. I must confess I didn't have much time  
French5 to read the lists. On Page 3 there are three cases which  
6 are mentioned and which is breakage to equipment,  
7 so there would be 23 accidents which were occasioned  
8 through manoeuvring.

9 A. In this case.

10 Q. Let us switch now to another subject,  
11 Mr. Allard; you have mentioned the delays for ships  
12 coming up to docks. I would like to have some details  
13 on this question. Let us take the case of a ship coming  
14 down river from Three Rivers and which is arriving in  
15 Quebec with the low tide and which wants to go to section  
16 25 or 26. In such a case, according to your knowledge,  
17 would the river pilot go to the section or the dock?

18 A. Well, according to the weather conditions  
19 at the time it might be possible that it would go there  
20 directly.

21 Q. Now, Sections 25 and 26, are they in  
22 the St.Charles River?

23 A. No.

24 Q. Where are they located?

25 A. In the river itself.

26 Q. According to your knowledge did it happen  
27 that the river pilots piloting ships from Three Rivers  
28 to Quebec refused to go to these two docks at low tide?

29 A. Since I am at the National Harbours  
30 Board I haven't been at any time made aware of such





1 cases.

2 Q. So, according to your experience since  
3 you are with the National Harbours Board is it only in  
4 the case of the piers in the River St. Charles that this  
5 problem arises?

6 A. As far as I can remember, yes.

7 Q. Now, such problems exist in the case of ships  
8 entering the River St. John. What happens at the high  
9 tide?

10 A. For certain pilots we still have the same  
11 problem.

12 Q. You say certain pilots, are you talking  
13 about pilots of one district more than another? What do  
14 you mean by certain pilots?

15 A. By certain pilots I mean the individual  
16 and not the district where he comes from.

17 Q. So this has happened with pilots from the  
18 District of Quebec, Les Escoumaine or Montreal and  
19 Quebec?

20 A. Yes, this is right, yes.

21 Q. In one case or the other?

22 A. This is right.

23 Q. The ships that are docking in St. Charles  
24 River have to be assisted by tugs?

25 A. Some of the time yes.

26 Q. And be brought to the pier on the incoming  
27 tide they must be turned with the help of a tug?

28 THE CHAIRMAN: Is the determining factor  
29 the incoming tide, or the type of ship or wind or any  
30 other circumstances that would be taken into account?







1 THE WITNESS: Everything should be taken  
2 into consideration.

3 THE CHAIRMAN: But you mentioned only in-  
4 coming tides?

5 THE WITNESS: It is mostly incoming tides,  
6 yes.

7

8 RE-CROSS EXAMINATION BY MR. LALONDE:

9 Q. Captain Allard, my colleague, Mr. Brisset,  
10 has asked you some questions concerning the meeting of  
11 June, 1963 with the pilots of the St. Lawrence. Is  
12 it not true that such meetings have been convened upon  
13 the initiative of the Quebec and Montreal pilots?

14 A. If I recall correctly we had discussed this  
15 last year and I think it would be correct to say that  
16 it was the pilots who took such initiative. I think so.

17 Q. This year, in the spring have not the  
18 pilots again participated or suggested the convening  
19 of a meeting on the question of problems of navigation?

20 A. Yes, this is true.

21 Q. Have you had initiative in the Harbour of  
22 Quebec made by ship owners suggesting such a meeting?

23 A. Not to my knowledge.

24 Q. Now, I should like to ask another question  
25 in relation to the matter of the participation of  
26 National Harbours Board in inquiries on matters of  
27 maritime accidents and inquiries concerning pilots in  
28 particular. If I understand you correctly you said that  
29 it would be useful or advantageous for the National  
30 Harbours Board in Quebec to attend such inquiries?





1 A. Yes, I said that.

2 Q. Is the National Harbours Board not con-  
3 cerned mainly with finding out the cause, whether  
4 such a ship could have caused an accident in Quebec  
5 Harbour?

6 A. I think that the National Harbours Board  
7 should be concerned mainly on that subject.

8 Q. In such case to what effect?

9 A. In order to eliminate the causes which  
10 might lead to accidents.

11 Q. If I understand correctly the National  
12 Harbour Board should be concerned so they can make improve-  
13 ments. Do inquiries and accidents take place even if  
14 there is no pilot on board?

15 A. You mean as far as National Harbours  
16 Board is concerned?

17 Q. I mean to your knowledge are their in-  
18 quiries only when there is a pilot on board?

19 Supposing there is an accident in the Harbour of  
20 Quebec between two small ships and there are no pilots  
21 on board?

22 A. Well, to my knowledge there would be an  
23 inquiry even if there is no pilot aboard.

24 Q. Am I to understand that the Department of  
25 Transport makes an inquiry in all cases when there are  
26 pilots or when there are not pilots on board?

27 A. Yes.

28 Q. The object of their recommendation is to  
29 say that the National Harbours Board should be aware of  
30 the improvements that should be made in order to avoid







1 accidents. Is it not true in such a case that the  
2 National Harbours Board is not interested in participating  
3 in any way, they want to know whether disciplinary action  
4 should be taken on such and such a pilot in case of such  
5 maritime accidents?

6 A. I should think that the National Harbours  
7 Board's concern would be only the cause and the nature  
8 of the thing.

9 Q. To know if such and such a pilot should  
10 be responsible and receive disciplinary action?

11 A. No, I think this is under the field of  
12 the Pilotage Authority.

13 Q. What about the fact that a captain should  
14 receive disciplinary action?

15 A. I think this would be under the responsibility  
16 of the Department of Transport.

17 Q. Therefore could we not conclude that the  
18 presence of the National Harbours Board is not necessary  
19 in the case of inquiries concerning a particular pilot,  
20 but only any inquiries which take into account all  
21 factors concerning ships in the Port of Halifax.

22 A. I think that if any inquiry took place in  
23 the Harbour of Halifax it is immaterial for the Harbour  
24 of Quebec to know -- for the National Harbours Board  
25 to know if a pilot was on board or not.

26 Q. In relation to the exhibit filed awhile  
27 ago, the list of accidents, my friend has suggested  
28 there was perhaps a case of lack of co-operation between  
29 the two bodies. Is it not true that a simple telephone  
30 call would have been sufficient to get the information







1 as to whether or not there was a pilot on board?

2 A. I went to the Pilotage Office to con-  
3 firm as to the names of the pilots.

4 Q. So you were able to go there and verify  
5 the names that you had?

6 A. Yes.

7 Q. And if you had to verify any other place  
8 whether there was a pilot on board or not you could  
9 get that information?

10 A. This information would have been given us  
11 also.

12 Q. In your experience have you noticed an  
13 improvement...

14

15 ---Recess.

16 ---Upon resuming.

17 Q. Captain Allard, we were talking about  
18 speeds in the Harbour of Quebec. Can you tell us the  
19 maximum speed within the Harbour of Quebec?

20 A. Maximum 9 knots.

21 MR. LALONDE: Thank you.

22 MR. LANGLOIS: My lord, I have no other  
23 questions to ask. I would only like to call your attention  
24 and the Commission's attention to the fact that the  
25 exhibit filed listing accidents, there are several acc-  
26 idents which show they are not due to movement of ships,  
27 but to things of loading and different parts.

28

29 RE-EXAMINATION BY MR. JACQUES:

30 Q. Still on Exhibit 598, the first case that





1 we have is the Grey Master touches pier No. 25 and touches  
2 ground. Was that ship in movement, the Grey Master?

3 A. The Grey Master was moving and the Salacici  
4 was tied to the pier.

5 Q. The Kongsholm touches the bridges of the  
6 railroad basin. How do you explain that?

7 A. Well, we have a loading bridge at the  
8 entrance of the inland basin and it is the pier of the  
9 bridge which was damaged.

10 Q. With a ship moving?

11 A. Yes, it was either coming in or out of  
12 the inland basin.

13 Q. The Guy Bartholemew hit pier No. 29  
14 according to the records. Was the ship moving?

15 A. Yes, it was docking, probably.

16 Q. The Hudson Deep hit pier #3 in the basin.  
17 Was it moving?

18 A. Probably.

19 Q. The Donacona touches the nose of the out-  
20 side basin of Section 14?

21 A. Probably went into the inland basin.

22 Q. The Manchester Miller hit Pier #25.

23 A. Probably moving.

24 Q. The Federal Express hit pier #21 at  
25 the outside of the basin?

26 A. Probably also moving.

27 Q. The Montcalm hit pier #14 in the middle  
28 of the shed.

29 A. Also moving.

30 Q. Imperial Halifax hit pier #29?







1 A. Probably moving.

2 Q. The Nordpol touches bridge railroad basin?

3 A. Probably either coming in or out of the  
4 basin.

5 Q. Deerwood hits corner pier #18.

6 A. When entering outside basin.

7 THE CHAIRMAN: I think we can leave the  
8 others. The Commission can look at it.

9 MR. JACQUES: I am going to skip a few,  
10 my lord. There is one that bothers my friend, and I  
11 am going to go over it, --- the S. S. Batory.

12  
13  
14 A. We have nothing in our records saying  
15 whether the ship was moving or not.

16 Q. Cargo beam, whatever that is.

17 A. It is an installation, a port installation  
18 on the pier.

19 Q. What type of installation?

20 A. To help loading or unloading.

21 Q. Is it sort of a loading ramp? Can you  
22 describe it to us. What would you mean by cargo beam?

23 A. I didn't go in too much detail on this  
24 file and I would rather not give further information on  
25 it.

26 Q. But you have written the expression  
27 "cargo beam". What does it mean?

28 A. To my knowledge the cargo beam is an  
29 installation on the shed which helps loading and unloading.

30 Q. It is an installation on the pier in the





1 shed. It is not on the ship?

2 A. No.

3 Q. It doesn't go over the pier?

4 A. Probably.

5 Q. So when we find this expression again,  
6 "cargo beam", would it be the same one?

7 A. Yes.

8 Q. Thank you. Now, can you give statistics  
9 to the Commission on the frequency of ships docking at  
10 the various places in the Harbour of Quebec, for instance,  
11 how many ships in the outside basin, how many in the  
12 in basin, how many in St. Charles River?

13 A. We could give you such statistics, but I  
14 haven't got them with me.

15 Q. Could you prepare them for 1962?

16 A. Yes.

17 Q. Now, there is a pier at Quebec which lies  
18 by Texaco, near Lauzon, Lake Beauport.

19 A. Well, this is the dock right now being  
20 used by three companies, Golden Eagle, British Petroleum  
21 Oil and the St. Lawrence Cement.

22 Q. When was this dock built?

23 A. I would like you to ask this question of  
24 the engineer.

25 MR. JACQUES: Thank you, sir.

26 MR. LALONDE: Excuse me, my lord, there  
27 is another question which I should have asked a while  
28 ago. You have spoken, Captain Allard, about cooperation,  
29 coordination, liaison and other expressions -- talked  
30 about coordination between National Harbours Board and





1 the Pilotage Organization.

2 If I understand you properly you don't propose  
3 that the National Harbours Board would take over Pilotage?

4 THE WITNESS: Not at all.

5 MR. LALONDE: Thank you.

6 THE CHAIRMAN: Captain Allard, in the  
7 Harbour of Quebec, besides the docks which belong to  
8 the National Harbours Board, are there private docks?

9 THE WITNESS: There are private docks in  
10 the Harbour of Quebec.

11 THE CHAIRMAN: I understand we find docks  
12 of the Canadian Steamship Company, the Levy Ferry Boat  
13 and there are also others?

14 THE WITNESS: Yes, there are installations  
15 which belong to the Public Works Department in Lauzon,  
16 for instance. We have shipyards. We also have some port  
17 installations which we rent to certain companies  
18 like Clarke Steamships which use one of our docks on a  
19 more or less permanent basis.

20 Q. THE CHAIRMAN: As far as the control of  
21 movement of ships at these docks, do you have anything  
22 to do with them?

23 THE WITNESS: Yes, because any ship which  
24 arrives in the harbour, as soon as she arrives the ship  
25 must give us a declaration of the name of the ship, her  
26 registration, tonnage, name of the captain, number of  
27 passengers, cargo freight, where the ship comes from and  
28 so forth.

29 THE CHAIRMAN: I understand before the  
30 ship enters the harbour in order to manoeuvre in the







1 harbour they must get in touch with you?

2 THE WITNESS: No, they don't have to.

3 THE CHAIRMAN: So the question of safety  
4 now applies only to ships which come to docks which belong  
5 to the National Harbours Board, for instance ships of  
6 the Canada Steamship Lines, they come in, and can manoeuvre,  
7 turn around in the harbour without going through you?

8 THE WITNESS: Yes, this is right.

9  
10 CROSS-EXAMINATION BY MR. LANGLOIS:

11 Q. Captain Allard, on the question of docks,  
12 you have mentioned a few.

13 A. In addition we have the Queens Dock which  
14 belongs to the Department of Transport.

15 Q. Now, don't you also have a dock which we  
16 call the Lane & Robitaille, former docks of the  
17 St. Lawrence Cement which belongs to the same the same  
18 company in Quebec, St. Lawrence Cement, in the inside  
19 basin?

20 A. No, alongside the river.

21 Q. As well as the Queens Docks?

22 A. I am not aware of this.

23 Q. To complete your answer to his lordship's  
24 question referring to ships using the installations of  
25 the National Harbours Board, in addition to ships which  
26 have pilots on board you have several coastal ships  
27 which use the installations of your National Harbours  
28 Board and which you have no control of as far as movage  
29 is concerned?

30 A. That is right.





1 Q. The list of accidents which you have prepared  
2 in which were produced Exhibit 598, in this list you  
3 include accidents involving private installations within  
4 the harbour?

5 A. I don't think so, no.

6 MR. LANGLOIS: Thank you.

7 MR. BRISSET: My lord, could I suggest that  
8 a number be given to the two exhibits that the witness  
9 will get, the exchange of correspondence between Mr.  
10 Louis Beaudry and the Pilots' Corporation?

11 THE CHAIRMAN: This will be Exhibit 581.

12  
13 -- EXHIBIT NO. 581: Exchange of correspondence between  
14 Mr. Louis Beaudry and the Pilots'  
Corporation.

15 MR. BRISSET: And the statistics of  
16 shipping in 1962.

17 THE WITNESS: Exhibit 582.

18  
19 ---EXHIBIT NO. 582: Statistics of shipping in 1962.

20  
21 THE CHAIRMAN: I understand that the  
22 statistics of movement of ships in the harbour and so  
23 forth would include just the ships which are coming to  
24 docks which belong to the National Harbours Board.

25 These wouldn't include ships going to the  
26 private docks, and therefore this will not give us ex-  
27 actly what the traffic was in the Harbour of Quebec in  
28 1962?

29 MR. JACQUES: Your lordship, the traffic  
30 in the Harbour of Quebec, the statistics of the National







1 Harbours Board in 1962, when they are compiled and when  
2 they are produced they will contain all the traffic.  
3 When this data is prepared with what we have had produced  
4 already it will complete the entire information of  
5 all the traffic of the Harbour of Quebec.

6 What I asked this witness for is traffic going  
7 to each place. I know that the inside basin is not  
8 utilized every day by the ships so, with the amount of  
9 moving the frequency of utilization  
10 of aother places.

11 Thank you, Captain Allard.

French 12 MR. JACQUES: Mr. Blanchet please?

13  
14 GASTON BLANCHET, sworn

15 EXAMINATION BY MR. JACQUES:

16 Q. Will you please give your full name  
17 Mr. Blanchet? Sit down.

18 A. Gaston Blanchet..

19 Q. Your age?

20 A. 38 years old.

21 Q. Occupation?

22 A. Civil Engineer for the Harbour of Quebec.

23 Q. For how long have you been a Civil  
24 Engineer?

25 A. Thirteen years.

26 Q. How long have you been a Civil Engineer  
27 for the Harbour of Quebec?

28 A. Thirteen years also.

29 Q. Will you please describe for the Commission  
30 the limits of the Harbour of Quebec?





1           A.     The Harbour of Quebec includes the St.  
2 Lawrence River and its shores from Caprouge, as far as  
3 Orleans Island as well as the small rivers going into  
4 the river everywhere where there is a tide.

5           Q.     When you speak of the Island of Orleans,  
6 is it the eastern end or western end?

7           A.     It is the western end. At St. Petronille.

8           Q.     What is approximately the length of the  
9 Harbour of Quebec?

10          A.     From ten to twelve miles.

11          Q.     Would you please now describe for the  
12 Commission the public docks of the Harbour of Quebec?  
13 You can refer to your recommendation if you want.

14          A.     Well the docks we have for most of the  
15 stations in deep water. We have approximately 35 feet of  
16 water. Some we have a little more, some we have a little  
17 less.

18          Q.     How many docks do you have in Quebec or  
19 how many stations?

20          A.     We have about 25 stations and I think that  
21 there is a section of the Harbour which is at the entrance  
22 of St. Charles River and also a sector of the public  
23 docks which is at Anse au Foulon.

24          Q.     And at the entrance of St. Charles River  
25 how many public stations do you have?

26          A.     There is a dozen at the entrance of  
27 St. Charles River.

28          Q.     Now at St. Charles River are there any  
29 private docks?

30          A.     Yes, there is a dock which belongs to





1 Anglo Canadian Pulp and Paper Company.

2 Q. Is this the only private dock there?

3 A. There is in the river itself other private  
4 docks with very little depth of water.

5 Q. Now in the river itself upstream of  
6 Sansom Bridge, is the Sansom Bridge still open to permit  
7 maritime traffic to go through?

8 A. No, the Sansom Bridge is not open any  
9 more.

10 Q. Since when?

11 A. About a year.

12 Q. So there is no more traffic going up  
13 there?

14 A. Well there was just small ships.

15 Q. Going up the St. Charles River?

16 A. You know, small boats, small yachts.

17 Q. Are there any cargoes going up?

18 A. No.

19 Q. Schooners?

20 A. No.

21 Q. At St. Charles you have mentioned the  
22 private dock of Anglo Canadian Pulp and Paper, the new  
23 dock which was built near the Anglo Pulp. Does this  
24 dock belong to National Harbours Board?

25 A. Yes.

26 Q. Is this a public dock?

27 A. Yes.

28 A. Is this a dock which I understand is  
29 rented to three companies?

30 A. Well, the pier, the dock itself is not







1 rented. The land behind the pier is rented and we can  
2 allow any ship to dock at that place.

3 Q. Now still on the side of Quebec going up  
4 towards Anse au Foulon and after Pointe a Carcy where is  
5 the entrance of the outside and inside basin to the docks  
6 which are there? Are they public docks?

7 A. Immediately at Pointe a Carcy those are  
8 public docks and as far as Canada Steamship Lines.

9 Q. Now Canada Steamship Lines is this a  
10 public dock which belongs to the National Harbour Board?

11 A. I think that the land belongs to us but  
12 the dock belongs to one of the steamship lines.

13 Q. Now since you were an engineer, has the  
14 maintenance been made by National Harbour Board? Has  
15 dredging of the pier, if that was necessary, has this  
16 been done by National Harbour Board?

17 A. No.

18 Q. Not according to your knowledge?

19 A. No. If we rent land to them and have a  
20 dock built there, there is always a contract --

21 Q. Much louder and closer to the mike please.

22 Q. There is always a clause to the effect  
23 that they must look after the maintenance of the pier.

24 Q. This is in the old Letters Patent I  
25 think. Now going up the river past the docks of Canada  
26 Steamship Lines we come to what is called the Chouimard  
27 dock.

28 Under whose jurisdiction are they?

29 A. Probably the land belongs to us and it is  
30 probably leased for one dollar to the City of Quebec.





1 Q. Those are things which I am supposed to  
2 investigate. Now we come up past the Chouinard wharf  
3 where the small cruising boats tie up is the Levis  
4 Ferry.

5 A. I don't know what happens there.

6 Q. Well hasn't the National Harbour Board  
7 anything to do with the dock of the Levis Ferry Boat?

8 A. Not according to my knowledge.

9 Q. It is used for cars which go aboard the  
10 ferry. Who looks after that?

11 A. This belongs to the Ferry Boat Company.

12 Q. Let us go to what is west, we have the  
13 dock of the Ferry Boat at Island.  
14 Is this dock under your jurisdiction?

15 A. No.

16 Q. And still west you have the docks of the  
17 Government. Do you have anything to do with the De-  
18 partment of Transport docks?

19 A. No.

20 Q. And after that we have a dock west where  
21 cement is being unloaded?

22 A. I don't know which is the company which  
23 is using this dock but I know that cement is being un-  
24 loaded there.

25 Q. Is this dock under your jurisdiction?

26 A. The dock, the pier doesn't belong to us.  
27 I think it belongs to the Canadian National but this is  
28 being discussed at the present time.

29 Q. If you want to follow your chart, let  
30 us go westwards. There is a space where there is no dock







1 at all?

2 A. Yes, there is a space where there is no  
3 pier yet. The land belongs to the C.N.R. right now.

4 Q. You said what belongs to the C.N.R.?

5 A. This is being discussed.

6 Q. Which part belongs to the C.N.R.?

7 A. The land. The land belongs to the C.N.R.  
8 We consider there is no dock.

9 Q. The land belongs to the C.N.R.?

10 A. This is full land, no dock. Then we come  
11 to what is called the Abraham Basin, Abraham Dock here  
12 in Quebec and this belongs to us. We administer this  
13 dock.

14 Q. Is this Basin still utilized?

15 A. Well this Basin which is dry at low tide,  
16 so we cannot use it very often. It has been used if we  
17 want to put a ship on the ground.

18 Q. Does that happen often?

19 A. Last time it happened was ten years ago.  
20 It has not been used for the past ten years.

21 Q. Wasn't it filled sometime?

22 A. Yes, it was filled about two years ago.

23 Q. There is a road being built?

24 A. Yes, there is a boulevard being built  
25 alongside the river around there. The Boulevard Champlain

26 Q. Now the west side, westward of Brown  
27 at Abraham Dock, then we have what we call the Foulton  
28 Docks. Are those docks under your jurisdiction?

29 A. Yes. We have eight docking stations  
30 there.





1 Q. And west of Foulion do you still have any  
2 docks?

3 A. West of Foulion there are no docks until  
4 we get to the Yacht Club but the land belongs to us.

5 Q. Which Yacht Club do you refer to?

6 A. The Quebec Yacht Club.

7 Q. There is a dock at the Quebec Yacht Club?

8 A. We have leased the land and a certain  
9 part of the shore to tie their ships which the Yacht  
10 Club has rented from us.

11 Q. Now west of the Quebec Yacht Club?

12 A. West of the Quebec Yacht Club we consider  
13 approximately there is, let us say about 500 feet west  
14 of the Quebec Yacht Club this is where our land ends.

15 Q. There are no docks?

16 A. There are no docks.

17 Q. Now the oil tanks which are  
18 west of Anse au Foulon, is this land which belongs to  
19 National Harbours Board?

20 A. No, they are just after the place where  
21 our land ends. They are on land which belongs to the  
22 C.N.R. This is a question which is being discussed at  
23 the present time.

24 Q. And the stations which you have mentioned  
25 at Anse au Foulon, do they include the stations which  
26 belong to International Fertilizer immediately west of  
27 the Maritime Railroad Station?

28 A. You can see this dock, it belongs to  
29 International Fertilizer. This is the land which has  
30 been rented.





1 INTERPRETER: I cannot hear Mr. Lalonde.

2 A. The International Fertilizer is renting  
3 the land at a certain distance from the dock and they have  
4 the privilege of priority to use the station to tie  
5 their ships.

6 Q. Now we will examine the south shore.  
7 You say that the ferry dock would be under the jurisdiction  
8 of the National Harbours Board, is that correct?

9 A. Yes, the ferry dock belongs to us as well  
10 as the land which is occupied by the Sillery Yacht  
11 Club and all the land there which is covered at high  
12 tide.

13 Q. Now what is the Sillery dock used for?

14 A. The Sillery dock is used for tankers which  
15 are bringing oil for the oil companies at that place.  
16 I would say they are small tankers. Those docks were  
17 provided for a draught of 14 feet there. We can have a  
18 little more.

19 Q. You said to-day it can take more than 14  
20 feet?

21 A. Yes, we can figure 18 feet right now.

22 Q. Now do you have other docks west of the  
23 Sillery Dock which are under your jurisdiction?

24 A. West of the Sillery Dock there are docks  
25 which are under our jurisdiction except old docks which  
26 are being deserted, which are not being used.

27 Q. Do you want to describe the docks on the  
28 south shore going down the river?

29 A. On the south shore I am not as much aware  
30 of the situation. There is the steel dock near the







1 Levis Ferry Boat which belongs to us and we have, near  
2 our eastern limit we have a beach and a former dock which  
3 is called Indian Cove.

4 Q. Is this west or east of the ship yards?

5 A. East of the ship yards.

6 Q. And these two docks which you have just  
7 mentioned, what are they used for?

8 A. The dock at Levis I think has been used  
9 for loading and unloading coal.

10 Q. And the Indian Cove?

11 A. Well Indian Coal Dock has been abandoned  
12 right now.

13 Q. West of the Levis Ferry Boat, let us say  
14 in front of Sillery I think there are some docks where  
15 we see winter ferry boats docking there?

16 A. Yes. I am under the impression that these  
17 docks belong to the C.N.R. or belonged to the C.N.R.

18 Q. Now you have nothing to do with these  
19 personally?

20 A. No, because we cannot erase all the problems  
21 at the same time.

22 Q. Now at Beauport are there any other port  
23 installations than those which have been mentioned?

24 A. There is another dock which is called  
25 the Beauport Dock. This is a dock which has maybe a  
26 draught of 6 or 7 feet at low tide where we receive  
27 wood on certain occasions. Now there is another kind of  
28 a pier westward which was built by private enterprise  
29 on one of our lands.

30 Q. Are they still building that pier?





1 A. No, they have stopped the work.

2 Q. Now is there any silting or sedimentation  
3 at any place in the Harbour of Quebec?

4 A. Well there is some sedimentation at the  
5 terminal at Anse au Foulon and there is silting which  
6 takes place at the entrance of the St. Charles River.

7 Q. Thank you for establishing the difference  
8 between sedimentation and silting.

9 You say sedimentation takes place at Anse au  
10 Foulon. Can you tell us to what extent there is sedi-  
11 mentation?

12 A. Well there is sedimentation which makes  
13 it necessary for us to do some dredging every 5 or 8  
14 years for a small surface.

15 Q. This is where, the surface?

16 A. It's I think approximately 500 feet south  
17 of the shed, about at the centre of the shed.

18 Q. Could I have the exhibit, please?

19 Exhibit 442, which is the chart for the Harbour  
20 of Quebec, would you indicate by a red circle the place  
21 where there is some silting? You have made two circles  
22 oval shaped. Would you explain them?

23 A. Well there is more silting in those two  
24 lines, a small surface and at a greater surface there  
25 is a great deal of silting.

26 Q. Now how many feet does that represent?

27 A. On the small surface one foot per year,  
28 approximately.

29 Q. And how much water is available for ships  
30 manoeuvring, approximately?







1 How much water should there be really?

2 A. We dredge it at 37 or 38 feet and it can  
3 go down to about 30 feet, then have to do some dredging.

4 Q. Dredging is done every 5 years or 8 year  
5 intervals?

6 A. Yes.

7 Q. Have you received complaints, or have you  
8 had complaints on this silting at Anse au Foulin?

9 A. Some people seem to feel it but that is  
10 all there is to it.

11 Q. What do you mean by "feel"?

12 A. I have the impression that some pilots  
13 can manage a ship with less than 5 feet and others would  
14 rather have 10 or 15.

15 Q. That is your impression? To your knowledge  
16 have any ships been grounded there?

17 A. To my knowledge, no.

18 Q. When you were dredging, do you make sound-  
19 ings?

20 A. Yes.

21 Q. Do you inform the Department of Transport  
22 of these soundings?

23 A. Two types of soundings are made. A whole  
24 series is made by the Department of Transport over the  
25 general surface and another made by the Harbour of  
26 Quebec. Those which are made by the Harbour of Quebec,  
27 we don't transmit them to the Department.

28 Q. Can you tell me what you do with them?

29 A. If they are interesting to the pilots,  
30 usually we send a copy to them and in the Harbour Board





1 any companies which require these soundings, we send a  
2 copy to.

3 Q. Concerning sedimentation on the St.  
4 Charles River, will you indicate on the same place where  
5 sedimentation takes place by a dotted line in red, western  
6 end of the pier of Canadian Import?

7 A. This is station 31, I have indicated that  
8 with a dotted line in red at Station 31.

9 Q. Can you give us the cycle of this sed-  
10 imentation as well as its rate?

11 A. In the St. Charles River we come to a  
12 period where we have just built a pier at Station 50.

13 Q. Is that the one you referred to a while  
14 ago?

15 A. Well the object of that was to cut the  
16 current at that particular place in order to avoid sed-  
17 imentation.

18 Q. Where?

19 A. In the estuary and it seems to me that to-  
20 day this pier is efficient for that purpose so that the  
21 last time that I dredged it was in 1962 but this was  
22 sort of cleaning up after the construction of the pier  
23 which took place in 1961.

24 Q. Now you do not have any more data on  
25 the sedimentation in the St. Charles River?

26 A. Between last year and this year I have  
27 measured the yards, but that is only approximately.

28 Q. How much in feet?

29 A. One or two feet but since we dredged more  
30 than is necessary during the year, it will be all right.







1 Q. Have you had a request by the pilots or  
2 ship owners requesting dredging at a given place?

3 A. We have received requests from the ship  
4 owners.

5 Q. Do you remember when?

6 A. In 1961.

7 Q. Was it to carry out dredging where?

8 A. That was for dredging at Station 30 and  
9 31.

10 Q. Where are those stations, 30 and 31?

11 A. It's what you call Canadian Import Piers.

12 Q. Now inside the basin do you carry out  
13 dredging?

14 A. In the basin itself there is very little  
15 sedimentation. In the past 13 years we have not had any  
16 dredging.

17 Q. Now do you carry out surveys of current  
18 in the Harbour of Quebec?

19 A. Yes, in 1952 we have studied the currents  
20 in the basin of Beauport and this led to the construction  
21 of the pier in 1960/61.

22 Q. Did you transmit the findings of your  
23 surveys to the Maritime Section of the Department of  
24 Transport?

25 A. No, I don't think so.

26 Q. Have you transmitted these findings to  
27 the pilots?

28 A. Not officially. Informally we discussed  
29 it with the pilots and the masters.

30 Q. What kind of captains? Government ships,







1 ocean-going ships or schooners?

2 A. With tug captains in the Harbour of  
3 Quebec, and pilots.

4 Q. The pilots?

5 A. Not the pilots, some pilots.

6 Q. Would these pilots with whom you discussed  
7 the matter of current represent the pilots in general?

8 A. No, there was particularly one pilot

9 Q.  
which I trusted. When did you have these discussions?

10 A. There was nothing official. I had them  
11 outside working hours.

12 Q. Did the result of your survey compare  
13 with the data on survey of currents either on charts  
14 or in nautical publications of the Department of Transport?

15 A. Could I see it? Could I see the map?

16 In the St. Charles estuaries there is no current in-  
17 dicated on the map. To the east of what we call Pier No.  
18 1 there is some current in the centre of the river, but  
19 the detail of the currents are not indicated.

20 Q. Yourself, can you indicate on this map  
21 the speed of these currents in that particular place?

22 A. No, not by heart.

23 Q. This survey that you made, is it a written  
24 report?

25 A. It wasn't a survey I made alone. I  
26 collaborated in this particular survey. It was reported  
27 in our office in Ottawa by the Research Department.

28 Q. Research Department -- what department  
29 is that?

30 MR. LANGLOIS: Technical Services.





1 CROSS-EXAMINATION BY MR. LALONDE:

2 Q. Mr. Blanchet, have you any jurisdiction  
3 over the Irving Pier in Quebec?

4 A. There are regulations which apply to the  
5 Harbour.

6 Q. Is it a private pier?

7 A. It doesn't belong to us, but I can't  
8 definite the properties of the Harbour here.

9 Q. Where is this Irving Pier located?

10 A. A thousand feet from the Quebec Bridge  
11 on the north shore.

12 Q. Is it indicated on the chart that you  
13 looked at a while ago? Could we have the map once again  
14 for the witness?

15 A. This isn't covered on this map. Probably  
16 the pier is on the next map which will be No. 1333.

17 Q. Could we have this other map covering  
18 the ground indicated by the witness?

19 MR. JACQUES: 1333.

20 MR. LALONDE: It is Exhibit 443 filed  
21 in Montreal.

22 A. Yes, I can see the pier on this map.

23 Q. Could you please indicate it by an "X" with  
24 a red pencil, if possible? The pier would be indicated by  
25 an arrow on this exhibit.

26 Have you had an opportunity to examine the  
27 construction of this pier and the operations thereon,  
28 personally, I mean?

29 A. Yes, I went to see it a few times.

30 Q. You didn't make a special examination of







1 this pier?

2 A. Nobody asked me to do that.

3 Q. Would you be in a position to make comments  
4 concerning the service of navigation at that particular  
5 pier?

6 A I think that perhaps great care when  
7 docking, because the lines are a little -- the tie lines  
8 are a little longer. .

9 Q. You haven't made any more examinations  
10 of this particular pier concerning currents? That goes  
11 back to 1952, you said?

12 A. Yes.

13 Q. Do you remember what the speed of currents,  
14 maximum and minimum for the Harbour of Quebec were?

15 A. If I recall it was four, two, six. It  
16 could even be more on a certain part of it, small part  
17 of it.

18 Q You have mentioned silting and sedimenta-  
19 tion in some places in the Harbour of Quebec; don't you  
20 also get some silting in the dry docks on the south  
21 shore?

22 A The dry docks -- there are some which  
23 belong to us, but it is administered by the Department of  
24 Public Works so I wouldn't list that.

25 Q. If there were any silting you would know  
26 it. It would be the Public Works who would be able to  
27 testify to this fact. Has it been reported to you that  
28 the Association of Pilots has asked for soundings  
29 for certain places in the Halifax Harbour?

30 A. To my knowledge I should have thought they





1 have asked for sounding charts. We sent them sounding  
2 charts quite often.

3 Q. You weren't aware that they were making  
4 soundings at particular places?

5 A. No.

6 MR. LALONDE: Thank you.

7  
8 BY MR. JACQUES:

9 Q. Now, as to the soundings, do you make  
10 any special soundings in the spring?

11 A. Every spring we cover all the places that  
12 are likely to have some obstacles to navigation.

13 Q. You write down your soundings on the  
14 charts and these are the charts you send to the pilots?

15 A. Yes.

16 Q. And during the year do you carry out  
17 other soundings?

18 A. Yes, in the spring we make our sweeping  
19 by the Ship Channel, sweeping of various surfaces to  
20 be sure of rocks or other obstacles.

21 At the tying station we make soundings in the  
22 spring. We carry out soundings throughout the summer,  
23 continually, practically all the time.

24 Q. And you make charts of these soundings?

25 A. And we send them out if it is useful.

26 Q. What do you mean by being useful?

27 A. If there have been obstacles or something  
28 which might change the course of navigation, well,  
29 we would send that out. The Harbour Master is always  
30 aware of that.





1 MR. JACQUES: Thank you.

2  
3 CROSS EXAMINATION BY MR. LANGLOIS:

4 Q. Just a few questions concerning the  
5 sillery work, have you heard of any rocks coming down  
6 around there?

7 A. Yes.

8 Q. Does this occur at the westerb tip of  
9 the pier or is there still 18 feet of water at that  
10 place?

11 A. We are supposed to make soundings when  
12 we are finished with the dredging. We have 19 and 3/4  
13 feet.

14 Q. When was this dredging done?

15 A. Around the 26th of June.

16 Q. Of this year?

17 A. Yes.

18 Q. And you are going to make other soundings  
19 in a few days? Was this dredging requested a few years  
20 ago or recently?

21 A. The dredging was compulsory because the  
22 pier broke down.

23 Q. Has the pier been repaired to prevent  
24 such occurrences in the future?

25 A. The pier hasn't been repaired because it  
26 is a very old one and we asked for money to build a new  
27 one.

28 Q. This pier was destroyed from below?

29 A. Yes.







1 CROSS EXAMINATION BY MR. BRISSET:

2 Q. Concerning these current studies that  
3 you have made, do you know, do you separate the navigable  
4 part of the channel..

5 A. Near the harbour we start in the west end  
6 tip of the island, but when we arrive at the harbour  
7 wharf...

8 Q. Up to the breakwater, this is the entrance  
9 to the St. Charles River?

10 A. Pier No. 1.

11 Q. The same thing?

12 A. No, because the breakwater -- this is  
13 what we call Pier 18 to the eastern side. Pier No. 1  
14 is the anchorage and stations 25, 26 and 27.

15 Q. These were made to find out the speed and  
16 also the direction of the current?

17 A. The main objective was to avoid unnecessary  
18 dredging expenditures and to reach that we had to find  
19 out the speed and directions of current at any time.

20 Q. Did this survey cover a rather long period  
21 of time to get the various tides that you have at  
22 different periods of the year?

23 A. No, I can't say we covered all the seasons.  
24 We have covered various conditions in the same season,  
25 either high tide or low tide.

26 MR. BRISSET: Thank you.

27

28 CROSS-EXAMINATION BY MR. MALONEY:

sh 29 Q. Mr. Blanchet, you said, I think, that  
30 you and the National Harbours Board did some soundings





1 and that other soundings had been done by the Department  
2 of Transport; is that right?

3 A. And the Channel.

4 Q. That is what I want to get at, the only  
5 soundings taken by the Department of Transport are the  
6 Ship's Channel; is that right?

7 A. Will you repeat your question?

8 Q. The soundings which are taken by the  
9 Department of Transport, are they only of the Ship  
10 Channel?

11 A. I don't know exactly. I think that the  
12 Ship Channel is part of the Department of Transport, but  
13 I am not sure of that.

14 Q. You say that you took soundings in certain  
15 areas, right?

16 A. Yes.

17 Q. Could you define those areas or can you  
18 define the areas in which you didn't take soundings?

19 A. Ship Channel is taking soundings every  
20 year, and we are asking them every year for them, so  
21 all these soundings are taken by us.

22 Q. Aside from those, the soundings which  
23 you take would be at piers, and in other words they  
24 were inside of the channel?

25 A. Yes, they were, ourselves, also a beach  
26 where there is a big slide or obstruction and near the  
27 wharves.

28 Q. You say when the soundings which you  
29 take are of interest they are sent to the pilots. What  
30 do you mean by "soundings of interest", where an obstacle







1 appears?

2 A. I am not following you.

3 Q. When you send sounding charts to the  
4 Pilots, is that because there is an obstacle shown?

5 A. Ordinarily yes, if there are changes.

6 Q. If such an obstacle is shown is it not  
7 published in the Notice to Mariners?

8 A. Ordinarily yes.

9 Q. Would there be any occasions when it wouldn't?

10 A. It is established, the dangers, and  
11 sometimes is forgotten.

12 Q. You mean the sounding plan is not sent  
13 to anyone?

14 A. We have a notice, advertised one, another  
15 to the director.

16 Q. In all these cases it is published as a  
17 Notice to Mariners, correct?

18 A. No, I can't say it is always.

19 MR. MAHONEY: That is all.

20 THE CHAIRMAN: Any further questions of  
21 the witness?

22 MR. JACQUES: Can the witness be allowed  
23 to leave?

24 THE CHAIRMAN: Yes. We will adjourn until  
25 2:30.

26 ---Luncheon adjournment.

27 ----

28 UPON RESUMING at 2:30

29 MR. JACQUES: I think this exhibit has  
30 already been received by the Commission and has received





1 a number which is 576 and the document is entitled  
2 Standard Towing Conditions. I think this Commission has  
3 already looked into this document.

4 During the adjournment for lunch I received a  
5 phone call from Jeffry Society to talk to me about certain  
6 corrections concerning the evaluations of schooners or  
7 two launches and the depreciation for both is \$15,000  
8 and the value for the replacement of these two launches  
9 would be about \$35,000.

10 Mr. Drouin please?

11  
12 GASTON DROUIN, sworn

13 DIRECT EXAMINATION BY MR. JACQUES:

14 Q. Would you please sit down and talk into  
15 the microphone. Could you state your full name and  
16 age?

17 A. Gaston Drouin, Age 37 years.

18 Q. And what is your profession?

19 A. Professional Engineer.

20 Q. Ever since when?

21 A. I have been a professional engineer for  
22 11 years.

23 Q. Who do you work for?

24 A. For the Department of Public Works in  
25 Canada.

26 Q. For how many years?

27 A. 11 years.

28 Q. And to what district are you working?

29 A. Quebec District.

30 Q. For how long?





1 A. 11 years.

2 Q. Now you were requested to prepare certain  
3 information regarding dredging within the boundaries of  
4 your district. Could you please, in the first place,  
5 talk to us about the boundaries of your own district?

6 A. I think that the first thing would be to  
7 show you the boundaries on the chart.

8 Q. I would like to file a copy of the chart.  
9 of the Public Works Department for the District of  
10 Quebec. The District of Quebec is bounded by a red line  
11 on this chart and this chart will become Exhibit 583.

12  
13 EXHIBIT NO. 583: Chart of the District of Quebec.

14  
15 Q. I notice on this chart 583 that you have  
16 a major part of the Province of Quebec and that you cover  
17 the river from Grondines at the north shore up to the  
18 boundary of Labrador. This is the Province's Frontier.  
19 On the south shore you go from a little above Deschoi-  
20 mains at St. Pierre Les Becquets to Trois Pistoles.  
21 Could you please tell the Commission the place where your  
22 Department does some maintenance dredging within the  
23 boundaries of your district?

24 A. The major part of the maintenance dredging  
25 is done below Quebec on the north shore of the St.  
26 Lawrence. That is between Pointe au Pic Malbaic and  
27 Blanc Sablon.

28 Q. Blanc Sablon is not indicated on this  
29 map?

30 A. At the bottom of the chart you will find







1 it.

2 Q. Now could you please indicate more accurately  
3 the exact places where this dredging is undertaken?

4 A. Do you want me to give them alphabetically?  
5 Well first of all, Baie Comeau about 30,000 yards of  
6 dredging every 5 years. Then Forestville.

7 Q. Baie Comeau is this maintenance dredging?

8 A. Yes.

9 Q. Could you please tell us where in Baie Comeau  
10 is this dredging undertaken?

11 A. When one says Baie Comeau, we must say  
12 in Baie Comeau three different places. There is Baie  
13 Comeau as such, Baie des Anglais and Baie du Moulin.

14 The installations of the Department are in Baie  
15 Comeau, at Baie Comeau as such.

16 Q. And you do some maintenance dredging  
17 every 5 years in Baie Comeau?

18 A. Along the port installations on the  
19 Government wharfs.

20 Q. Do you do some maintenance dredging along  
21 the private wharfs?

22 A. Well we did upon the request, naturally,  
23 but we do not pay for the cost of dredging in those  
24 cases.

25 In Baie du Moulin there is a dredging  
26 company which is installed there and we foresee about  
27 5,000 yards of dredging every 5 years upon their own  
28 request.

29 Q. Is that along the west?

30 A. Yes.





1 Q. And this number of cubic yards, how many  
2 feet, what depth does this represent?

3 A. For Baie du Moulin it's about 3 to 4  
4 feet.

5 Q. And Baie Comeau as such?

6 A. Well about the same thing but the surface  
7 of the area is much wider

8 Q. Do you think that the silting, according  
9 to the information you have in your own files, gives  
10 rise to difficulties to the ships using these piers?

11 A. I don't think that this silting may give  
12 rise to difficulties because we have the conditions  
13 of basins and we undertake to dredge before receiving  
14 any complaints.

15 Q. What would be the following places where  
16 you undertake dredging?

17 A. In Baie Comeau I would like to mention  
18 we foresee 5,000 yards of dredging every 5 years.  
19 At Baie des Anglais there is a company called, a private  
20 company called Cargill Grain Company.

21 Q. How many feet does that represent?

22 A. About the same thing, 3 to 4 feet.  
23 Forestville we foresee about 60,000 yards every 5 years.

24 Q. Where in Forestville?

25 A. Along the Government piers. There are  
26 2 piers. One belonging to Quebec Hydro which has  
27 been built in the course of the past 5 or 6 years along  
28 which there never was any dredging.

29 Q. And this number of cubic yards, how many  
30 feet of dredging does that represent?







1 A. In depth once more about 3 to 4 feet.

2 Q. And once more --

3 THE INTERPRETER: I am sorry, but I cannot  
4 hear anything.

5 ---Short recess.

6 THE SECRETARY: The loudspeaker system is  
7 out of order but the system for the interpretation  
8 services are working all right so they can be used now,  
9 providing the witnesses will speak loud enough.

10 ---following short recess.

11 Q. Now at what spot do you do some dredging?

12 A. Gaspé 7,000 yards every 5 years.

13 Q. This represents what depth?

14 A. From 3 to 4 feet.

15 Q. And where?

16 A. In Gaboo along the Government Pier.

17 Q. Did you have any complaints there?

18 A. No, not to my knowledge.

19 Q. And the following places?

20 A Bay Trinity , 12,000 yards once every  
21 5 years, no complaints, 3 to 4 feet in depth.

22 Q. And along the pier once more?

23 A. Yes. Escoumains 20,000 yards every 3 to  
24 5 years, depth 3 to 4 -- 4 to 5 feet.

25 Q. At what place exactly in les Escoumains?

26 A. Along the Government Pier.

27 Q. Once more did you ever have any complaints  
28 over there concerning the depth of water?

29 A. No. Plé 4,000 yards every 5  
30 years, approximately about 3 to 4 feet depth,





1 5,000 yards once every second year. This place gets  
2 silted very fast. At Quebec City along the pier.  
3 along the pier as well, 5,000 yards every  
4 3 to 5 years along the pier again. I am sorry, at  
5 River it is 15,000 yards every 2 to 3 years  
6 along the pier because silting is very fast. River  
7 500 yards every year.

8 Q. That doesn't represent a great deal?

9 A. No. Point roughly 15,000 yards  
10 every 5 to 10 years. Seven Islands at the pier 20,000  
11 yards every 3 to 4 years.

12 Q. And how many feet?

13 A. Well there is silting there very fast, 4  
14 to 5 feet depth at Seven Islands.

15 Point aux Basque 20,000 square yards every 5 years  
16 along the Government piers. At Point aux Basque there  
17 is an iron ore pier. We don't do the maintenance of that  
18 company. In Seven Islands about 10,000 yards every 5  
19 years along the pier. Port Cartier or Shelter Bay as  
20 it was called previously, 20,000 yards every 5 years  
21 along the pier.

22 Q. Is this in a private port?

23 A. Yes, there is a private port there and  
24 the Department's installations well naturally we had  
25 maintenance for them, for the Govt. or the Dépt. installation  
26 about 5,000 yards every 5 years along the Government  
27 pier. At Tadoussac as well about 1,000 yards every 5  
28 years along the Government pier. Now other places are  
29 about 500 yards every 2 or 3 years.

30 Q In all these places did you ever have any





1 complaints on the part of ship owners or pilots concerning  
2 the depth of water?

3 A. Well sometimes a pilot of a vessel may  
4 mention that the river bed seems to be high. Immediately  
5 we proceed to a sounding. If it is necessary to under-  
6 take some dredging, well we take immediate steps.

7 Q. Did you ever make any dredging following  
8 the complaints of the pilots without it being part of  
9 your regular cycle of dredging?

10 A. No, I don't think so. It may have happened.  
11 We may have done dredging earlier than it would have  
12 been done.

13 Q. Now do you ever do any soundings in those  
14 different places?

15 A. Yes, but not on the regular basis.

16 Q. When do you undertake such soundings?

17 A. Well usually we take advantage of certain  
18 works that are being undertaken in those harbours at  
19 the same time to undertake the sounding.

20 Q. Who tells you there is some silting  
21 if you don't proceed to any soundings?

22 A. We don't do soundings regularly but  
23 we do some spasmodically. Like I say we don't have  
24 a regular programme for soundings every year.

25 Q. So how do you proceed to do your soundings?

26 A. Well whenever we have some works in  
27 course, there is always an engineer on duty in those  
28 different places and whenever he goes at these different  
29 spots, he proceeds to soundings, taking soundings.

30 Q. Well following these soundings you establish







1 some charts indicating the depths of water?

2 A. No, not necessarily charts. We compile  
3 charts following our dredging.

4 Q. Those charts, do you send a copy of them  
5 to some people?

6 A. Well usually we prepare 5 copies of plans  
7 which are called Aids to Navigation and one copy remains  
8 at the headquarters of the Department. 2 copies are  
9 sent to the Transport Department and 2 copies are sent  
10 to the Mines and Technical Surveys Department.

11 Q. Did you receive some request on the part  
12 of ship owners or pilots in order to receive copies  
13 of such plans or charts?

14 A. Not to my knowledge, no. I don't  
15 remember.

16 Q. Now in the Quebec Harbour do you proceed  
17 to do any dredging?

18 A. Yes, a little at the entrance of the  
19 dry docks

20 Q. What is the quantity of dredging?

21 A. This year we have dredged about 3,000 yards.

22 Q. And what depth did that represent?

23 A. About 4 to 5 feet.

24 Q. Is there a cycle established in dredging?

25 A. No. But on the other hand every year  
26 one of our engineers does some soundings on the entrance  
27 of the two dry docks to determine if it is necessary  
28 to undertake dredging immediately or do it later on.

29 Q. Do you send the results of these soundings  
30 to the owners of the dry docks?





1 A. If we don't do any dredging, we don't  
2 send these results.

3 Q. But you are the owners of the dry docks?

4 A. We are the owners of the dry docks well  
5 the Lauzon Dry Docks, we are owners of those.

6 THE CHAIRMAN: One witness said the con-  
7 trary. I did not contradict him but I was sure that the  
8 two belonged to the Department.

9 MR. LALONDE: Well one learns something  
10 new every day.

11 MR. JACQUES: I still have a great deal  
12 to learn. I am still not as young as you are Mr. Lalonde.

13 Q. Do you give the results of these soundings  
14 to the pilots?

15 A. No.

16 Q. Have you received any requests to send  
17 the results of these soundings to pilots?

18 A. No, not to my knowledge, I don't think so.

19 Q. Now in the channel, do you have anything  
20 to do in the channel?

21 A. No. Nothing to do with the seaway channel.

22 Q. And the Saguenay River?

23 A. We have our own port installations. We  
24 are not concerned with the channel.

25 Q. Do you do some dredging in Chicoutimi?

26 A. This is the National Harbour and we have  
27 nothing to do with it. It's a private pier and I think  
28 it happened once that we did some dredging upon the  
29 request of the company but I am not quite sure about  
30 that. I don't have any files.







Q. Thank you. Your witness.

CROSS-EXAMINATION BY MR. LALONDE:

Q. You said that you were doing some dredging at the entrance of the dry dock in Lauzon. Did you receive a request for sounding at the dry dock in Lauzon?

A. I don't remember now.

Q. Did you not receive a complaint to the effect that a vessel going out of the dry dock in Lauzon recently has touched bottom?

A. Well officially I did not receive any mention of that. I heard something in the court here but we did not receive any information about it. But I must say that according to the information I have, well it seems that it took place on Friday afternoon and ever since Monday morning I have been in Court. I don't know if we received a complaint about that at the office.

Q. Let us say, for example, the complaint has been given. Do you proceed to a sounding?

A. Yes, of course.

THE CHAIRMAN: Thank you.

WALTER FAIRCLOUGH, sworn

DIRECT EXAMINATION BY MR. LALONDE:

Q. Would you give us your age?

A. 24.

Q. What is your occupation?

A. Employed as Marine operator at the Marine Radio Station here in Quebec.

Q. How long have you been in that occupation?





1 A. For approximately 2 years.

2 Q. Are you a permanent employee?

3 A. Yes, I am.

4 Q. You have been stationed at Quebec City  
5 during all that time?

6 A. Yes sir, I have.

7 Q. In the last 2 years?

8 A. Yes.

9 Q. Were you working previous to that with the  
10 Radio Communications Service?

11 A. For a short while, yes. Approximately  
12 6 months.

13 Q. Where was that?

14 A. In Ottawa.

15 Q. Was this for your training purposes?

16 A. I was on a course in Ottawa for approximately  
17 4 months on training, yes.

18 Q. Before that six months, or did you include  
19 in that six months?

20 A. I was in Ottawa approximately 6 months  
21 previous to my training.

22 Q. How have you been recruited? By passing  
23 examinations of the Civil Service at Ottawa?

24 A. They issue promotions or demands for jobs  
25 and concerning these you apply to wherever it is concern-  
26 ing this job.

27 Q. You have read an advertisement for your  
28 job and you applied. Is that the way you did it?

29 A. That is correct.

30 Q. You read it in the newspaper?





1 A. Yes sir.

2 Q. Are you bilingual?

3 A. I am.

4 Q. During your stay here in Quebec City at  
5 the radio station have there been any periods during  
6 which you were the only person in the radio station on  
7 duty?

8 A. I cannot say that I was the only person  
9 on duty. We have two circuits. We have air-radio  
10 circuit which is in the same room.

11 Q. Do you mean to say there would be always  
12 one person for the air-radio service?

13 A. Definitely, always.

14 Q. And also one person for the marine service?

15 A. Yes sir.

16 Q. Now are there times when there is more  
17 than one person on duty in Quebec City for marine service  
18 only?

19 A. The majority of the time there is 2 men  
20 on duty.

21 Q. When are you only the one on duty?

22 A. From midnight to 8:00 a.m. in the morning.

23 Q. I understand that we had some evidence  
24 yesterday to the effect that this would be for part of  
25 the year?

26 A. That is correct. During the shipping  
27 season there is only one man on duty.

28 Q. During which?

29 A. During the shipping -- when the shipping  
30 season closes there is only one man on duty.







1 Q. Is there must less traffic during the  
2 night between midnight and eight o'clock in the morning?

3 A. It varies. There could be. Generally  
4 there may be less commercial traffic. There is just as  
5 much pilot reports.

6 Q. Just as much pilotage work. Are there  
7 times when there is as much traffic during the night as  
8 during the day? Could there be, for instance, an increase  
9 in pilotage traffic during the night to compensate for  
10 the increase in commercial traffic during the day?

English 11 A. No, never.

12 Q. You mean to say there is always less  
13 traffic during the night than during the day?

14 A. Generally there is less traffic during  
15 the day.

16 Q. Are there times when you have as much  
17 traffic during the night as during the day?

18 A. It is difficult to say. We certainly  
19 don't have much. We don't have as much during the  
20 night.

21 Q. Do you have more than half as much?

22 A. It varies. It all depends. You can't  
23 say for sure.

24 Q. Are there times more than one man would  
25 be required during the night in your opinion, in your  
26 experience?

27 A. I don't think so. Any time we have had  
28 an overload of traffic we have always managed to handle  
29 it with one man.

30 Q. Do you happen to have an overload of





1 traffic during the night sometimes?

2 A. Well, it might be quite busy.

3 Q. Are there times when you have to keep  
4 people calling on standby during the night? We will come  
5 back to the day later on?

6 A. You are referring to teletypists standby  
7 because we are busy?

8 Q. Yes?

9 A. That could happen in any station. You  
10 would have to tell a ship to standby if you were doing  
11 something else.

12 Q. That is one point. What are you doing at  
13 the station when you are alone during the night. What  
14 have you to look after? You say you are always very  
15 busy. What are you doing? What are your duties.

16 A. During the night we only have one position.  
17 It is combined. We have radio-telegraphy circuits and  
18 radio-telephone circuits. That becomes one position.  
19 We have teletype service to look after, commercial  
20 and the pilot reporting teletype and also we  
21 have the abstract, that is what happened during the day --  
22 the total. That is about it. <sup>Q,</sup> You don't have telephone  
23 communication during the night?

24 A. Definitely sir.

25 Q. Radio telephone?

26 A. Definitely, sir.

27 Q. You don't have any ordinary telephone  
28 calls in and out, is that part of your duties.

29 A. We have, but most unusual.

30 Q. Yes. I understand that you are very busy







1 as you said, and sometimes you have to tell ships to  
2 standby. Does that happen pretty often?

3 A. Well I wouldn't say pretty often. If you  
4 are working on a ship on the other frequency and one  
5 calls up and there is no choice but to tell one to stand-  
6 by.

7 Q. Could you speak a little louder?

8 A. If you are working one set on the one  
9 frequency and another ship calls there is nothing you  
10 can do but tell him to stand by. You can't work the  
11 two ships together.

12 Q. Does that happen you have to tell another  
13 ship to standby because you are busy talking with another  
14 ship?

15 A. I wouldn't say it happens pretty often.

16 Q. Pretty often?

17 A. I wouldn't say it would happen pretty  
18 often.

19 Q. In your experience have you had more than  
20 two calls coming in -- you can only receive two calls  
21 coming in?

22 A. If I explain the circuit. I don't think  
23 you have got that right. Could I explain?

24 Q. By all means.

25 A. During the night we are talking about mid-  
26 night to eight.

27 Q. We will come back to the day after.

28 A. There is only one position. There is  
29 one radio frequency channel, that is V.H.F. There is  
30 R.T., radio-telephone. There is another one of lower





1 frequency radio-telephone and there is one radio-telegraphy  
2 circuit. That comprises approximately 12 different  
3 frequencies. You can receive a call on any of these  
4 frequencies. According to regulations you can. If you  
5 receive a call on any one of these frequencies, the only  
6 normal thing is to work one call.

7 Q. You can get up to 12 calls.

8 A. It doesn't happen, but it could happen.

9 Q. It could happen. In your experience  
10 how many calls are the most you have received at the same  
11 time coming in on those various channels, in the last  
12 two years in your experience?

13 A. That is difficult to say. I couldn't  
14 give you any specific number.

15 Q. You have up to 12 channels. Has it ever  
16 gone to 5 or 6?

17 A. Maybe it has. I couldn't remember.

18 Q. Pardon?

19 A. I say I can't remember, maybe it has.

20 Q. It goes up to 2?

21 A. Two or three.

22 Q. Very frequently?

23 A. Yes.

24 Q. You can't remember having seen it go...

25 A. I have a lot to do. I don't sit there  
26 counting the number of times ships call.

27 Q. During the day you are also busy with  
28 other duties or is it just because you have a substantial  
29 increase in traffic that you need two men?

30 A. That is right. We have more commercial





1 traffic messages from ships and also radio-telephone.

2 Q. Do you consider that a single man during  
3 the night is more busy than two men during the day?

4 A. Sometimes he is and sometimes he isn't.

5 Q. Generally?

6 A. This is difficult to say. I couldn't tell  
7 you.

8 Q. Have you ever worked during the day?

9 A. I have worked all shifts.

10 Q. In your own experience, have you found  
11 it generally more heavy, that it was a more heavy work  
12 load during the day than the night?

13 A. I have been on some shifts during the  
14 day that have been very quite. I have been on some shifts  
15 when it is extremely busy. I have been on some shifts  
16 at night when it is quiet. I can't say for sure. It  
17 varies.

18 Q. Do you have to, pretty often, in the day  
19 to tell ships to stand by?

20 A. The question about stand by -- I don't  
21 get exactly what you mean by standing by.

22 Q. You used the word, not I.

23 A. If a ship calls up and you are already  
24 working a ship, what else can you tell the ship. The  
25 regulations state you must tell him to stand by and not  
26 let him call for nothing.

27 Q. You must get this clear: I am not trying  
28 to insinuate in any way you are not doing your job prop-  
29 erly or you should not tell the ships to stand by, by  
30 any means. I understand this is the only thing you can







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(Lalonde) 5944

1 do. My question is does it happen pretty often. It  
2 doesn't mean it is your fault?

3 A. I don't know what you mean by pretty often.  
4 It happens a couple of times a day.

5 Q. A couple of times a day?

6 A. Yes.

7 Q. And you have occasion to have more than  
8 two calls during the day at the same time?

9 A. Sometimes, yes.

10 Q. How long have you in your experience, have  
11 you had to keep some other calls on stand by because you  
12 are busy with other calls coming in or keeping contact  
13 with a ship asking for information?

14 A. Not very long. I would say that the  
15 average is 2 minutes, 3 minutes, sometimes less.

16 Q. In your experience it has never been over  
17 3 minutes?

18 A. I can't say, maybe it has.

19 Q. You wouldn't recall?

20 A. No.

21 Q. Do you ever get complaints on the radio  
22 that they have been trying to reach you for some time?

23 A. Yes.

24 Q. These complaints you have received, have  
25 people mentioned they have been trying for more than  
26 3 minutes?

27 A. They didn't mention any specific time. They  
28 just - I had reports where a fellow told me he had been typing  
29 for a long time. That doesn't mean anything. His equipment  
30 might not be working. It has happened quite a few times.





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Fairclough, dir.ex.  
(Lalonde)

5945

1 Q. Nobody has ever mentioned any time during  
2 which they have been trying to call you?

3 A. Not that I can remember.

4 Q. Do you work weather reports too?

5 A. I beg your pardon?

6 Q. Do you work on weather reports? Do you  
7 transmit these? Do you receive?

8 A. Weather forecasts?

9 Q. Weather forecasts, do you transmit these  
10 for the ships?

11 A. We do.

12 Q. Do you get these reports in French and  
13 English or English only?

14 A. We just get English and they are translated.

15 Q. Who makes the translation?

16 A. We do.

17 Q. Do you yourself?

18 A. Yes.

19 Q. Have you ever had occasion -- when has that  
20 been, during the day or during the night or both?

21 A. Broadcast three times a day.

22 Q. What time, roughly.

23 A. Midnight, seven o'clock in the morning  
24 and at noon hour.

25 Q. Are all your operators bilingual?

26 A. All the operators that work in the marine  
27 service are bilingual.

28 Q. They can make a translation. Do you also  
29 translate the Notices to Mariners which you receive from  
30 the Signal Service?







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Fairclough, dir.ex.  
(Lalonde) 5946

1 A. Yes, we do.

2 Q. Are these received in English only?

3 A. Some come in French. Some come in English.

4 Q. Do you do translation in both cases?

5 A. That is right.

6 Q. This is added to your other duties, you  
7 have to make that translation in addition to the rest of  
8 your duties?

9 A. That is right.

10 Q. When a man is alone at night does it happen  
11 that he hasn't time to do this translation?

12 A. The translation -- you don't have to do  
13 the translation before. They are generally short broad-  
14 casts. You can make the translation as it goes on.

15 Q. Have you ever had any complaints that  
16 there might have been mistakes in the translation being  
17 done?

18 A. No.

19 Q. Suppose you got a message addressed to the  
20 Signal Service, how do you go about passing it on to the  
21 Pilotage Office?

22 A. We have a teletype circuit which is  
23 directly linked with them. If we can't get through, if  
24 it is busy, we phone it out.

25 Q. If you are busy you use the ordinary  
26 phone?

27 A. That is right.

28 Q. Then, in addition to your other duties  
29 you have to do teletype work in addition to your radio  
30 work?





1 A. That is right, but it is all located in  
2 a very small place.

3 Q. Have you discussed with somebody else  
4 the evidence you are going to give here?

5 A. I haven't.

6 MR. LALONDE: Thank you.  
7

8 CROSS-EXAMINATION BY MR. LANGLOIS:

9 Q. If I understand your testimony correctly  
10 the man on watch at nighttime occupies a position which  
11 combines three day-time positions. You have to look after  
12 the R.T. position, the W.T. position and the teletype  
13 position; is that right?

14 A. That is right.

15 Q. That is right. In addition to that you  
16 have also to look after the land telephone?

17 A. That is right.

18 Q. Now, if there were two men on duty at  
19 night could you improve the service?

20 A. That is difficult to say. I think we  
21 give pretty good service as it is.

22 Q. That is your opinion?

23 A. That is right.

24 Q. We heard evidence to the contrary. Could  
25 the service be improved, could you avoid keeping ships  
26 waiting?

27 A. It is very unlikely you keep a ship waiting  
28 at night time because you haven't got much traffic at  
29 night.

30 Q. We have received evidence to the contrary





1 here and we want to find out.

2 A. Well then, give me the incident.

3 Q. For instance, I have experienced it myself.  
4 I have a radio-telephone. You would have three or four  
5 ships calling your station and nobody would answer two and  
6 a half hours later the station would call, "what ships have  
7 been calling?" What takes place then?

8 A. If that has happened as you say it has the  
9 reason you haven't been answered is because the operator  
10 has been busy on another frequency. Actually the ships  
11 that call in -- it is supposed to be the operator handling  
12 communications, not the pilots.

13 They are supposed to listen to all transmitting  
14 frequencies. I don't think they even know they are  
15 supposed to. We have one frequency the working frequency,  
16 2182 kilocycles. That is the calling frequency. They  
17 are supposed to listen to all the transmitting frequencies.

18 They are supposed to check whether we are busy  
19 or not busy before they call.

20 Q. That is exactly my point. If the situation  
21 I have just described takes place, if you were two operators  
22 instead of one could you improve the service?

23 A. I don't say that. Any situation where it  
24 would require -- it is already -- you mean at night time  
25 if another operator -- I can't see it. One man could do  
26 it easily.

27 Q. How many transmitters do you have at the  
28 station?

29 A. You mean how many frequencies?

30 Q. Transmitters?







1 A. Transmitters, we only have two transmitters,  
2 but they have variable frequencies.

3 Q. Could one operator work one frequency  
4 and another operator work on the other one?

5 A. No -- well, it depends what you mean.  
6 We have different circuits. We have combined -- on V.H.  
7 very high frequency, yes, the operator could do it.  
8 You only have two logs anyway and your log is yours.  
9 He can't come and tie up into yours.

10 Q. This is one thing I can't understand.  
11 With two operators in the daytime you handle much more  
12 traffic than you do at night?

13 A. Yes.

14 Q. When I ask you with two operators could  
15 you improve your present service at night you say no.  
16 I don't understand.

17 A I said previously that I don't think  
18 our service at night needed any improvement. I said  
19 I considered we handled it very well.

20 Q. Assume for a while that the situation I  
21 have described exists, and we have evidence to that  
22 effect. Could you improve the situation with two  
23 operators on duty. That is a very simple question.

24 A. Well, I think with more people you can  
25 improve it.

26 MR. LANGLOIS: Yes, you can improve it.  
27 Thank you, that is all I wanted to know.

28  
29 RE EXAMINATION BY MR. JACQUES:

30 Q. Sir, we were told in evidence yesterday





1 by a pilot called Edmond Pouliot that once he was on board  
2 a ship, the Sylvia, bound from Port Albert to Quebec  
3 during the night of the 5th and 6th of June, 1963 and  
4 that he tried to use your station between 11:30, 23.30  
5 on the 5th and I think, approximately, 0200 on the 6th  
6 and that he couldn't raise your station but nevertheless  
7 another ship further up river, I believe, but apparently  
8 quite a distance away from him whose name was Trans  
9 Canada could hear him and could converse with him on the  
10 radio-telephone. How could you explain that?

11 A. Well, we have always had difficulty with  
12 communications on the Saguenay River. Our station is  
13 not meant for communication there. Very rarely can we  
14 work with ships there. We are unable to work with them.  
15 It could happen that the other ship may have more power  
16 than this ship is using, the Sylvia. It all depends on  
17 the radio conditions. You can't say definitely. We  
18 have had conditions between the Saguenay and our station.  
19 It is poor. For some reason, it is poor radio communication.

20 Q. Would that include the stretch of the St.  
21 Lawrence River from Quebec to Saguenay where you have  
22 difficulties?

23 A. There are some parts of the St. Lawrence  
24 where communications are difficult. I can't say for  
25 sure, this is my own opinion now, generally that around  
26 the Island of Orleans the communications is way down  
27 and further up the river they are better. At 30 miles  
28 we have difficulty with the radio and 60 miles away  
29 we can hear him good.

30 Q. Could a delay of several hours, 2½ hours







1 be caused by overwork at night at the station?

2 A. No, I don't think so. I don't think so.  
3 If he wasn't answered it was because he wasn't heard  
4 at the station.

5 Q. What procedure do you follow if you hear  
6 someone calling you whilst you are working another ship?  
7 Do you let him call until you are ready to receive him?

8 A. Definitely not. If you can switch back  
9 you tell him to stand by, go to stand by frequency and  
10 stand by. Then when you are finished you will work  
11 him.

12 Q. You say if you can switch back?

13 A. You are working on one frequency. You  
14 have special channels for working ships. You have one  
15 calling frequency. Our working frequency is 2182  
16 kilocycles. You can have stations all over the world,  
17 get calls on that frequency. That is the frequency  
18 he is supposed to call on. You have a switch where you  
19 can switch the transmitter back to that frequency and  
20 just say the name of the ship, please stand by, we are  
21 busy.

22 Q. Does it happen you haven't got the time  
23 to switch to the calling frequency to tell him to stand  
24 by?

25 A. There are times when we are busy and  
26 we can't switch back. They are supposed to monitor the  
27 stations we work. They are supposed to listen to our  
28 frequencies and see if we are busy and not call us if  
29 we are busy.

30 Q. You say they are supposed to listen to





1 your transmitting frequencies?

2 A. That is right.

3 Q. You have 12 of them?

4 A. No, I said we have 12 frequencies, 6  
5 channels, one receiving frequency and one transmitting  
6 frequency.

7 Q. So, you have, in fact, 6 transmitting  
8 frequencies and 6 receiving frequencies?

9 A. That is right.

10 Q. You say that the ships are supposed to  
11 listen in to the 6 transmitting frequencies?

12 A. No, that is not correct. We have 2  
13 frequencies, our working frequencies. These are listed  
14 in the Station Manual that is supposed to be on all  
15 ships. They are supposed to know our frequency -- that  
16 is right.

17 Q. This is for Quebec. Would you point out  
18 the information please?

19 A. List of frequencies here under transmitting  
20 and receiving frequencies. The asterisk here indicates  
21 2206 -- that is our special frequencies for working  
22 telephone calls, ship's telephone calls. These under-  
23 lined frequencies....

24 Q. The column, transmitting frequencies.

25 A. This is frequencies underlined - these are  
26 the frequencies, calling frequencies. These are the  
27 frequencies the ship is supposed to call us on. The  
28 regulations state that a ship has to know the working  
29 frequency, which in this case would be 2582, 2514 and  
30 also -- I don't believe it is listed in this Manual, but







1 in the list of coast station manuals, which is one of the  
2 books that should be aboard ships it states the fre-  
3 quency on which we make our broadcasts and working fre-  
4 quencies. These are the frequencies supposed to be  
5 monitored.

6 Q. When you say monitored do you mean the  
7 ship should be listening to these frequencies?

8 A. That is right.

9 Q. Can they listen to all these frequencies  
10 at the same time off the ship?

11 A. No. In the list of coast stations the  
12 one frequency given as our main working frequency, that  
13 is 2582 kilocycles.

14 Q. And ships coming up or down the St.  
15 Lawrence should listen to this frequency all the time?

16 A. Not all the time, before they call they  
17 should check to see if the Coast Station is busy or  
18 not in communication with another ship. If they are  
19 they are supposed to stand by and wait till they are  
20 finished.

21 Q. Would you tell me if it could happen that  
22 a ship was listening on your working frequency and was  
23 trying to get in touch with the station -- I should be  
24 fair with you. It is not the Quebec Station and as soon  
25 as the message was finished switched over to the calling  
26 frequency and yet couldn't reach the station. According  
27 to your experience what happened at the station?

28 A. You mean that he called on the Coast  
29 Station working frequency and wasn't answered?

30 Q. He called on the calling frequency, was







1 listening on the working frequency and as soon as he  
2 saw that the message was ended he switched over to the  
3 calling frequency, called the station and yet couldn't  
4 raise the station?

5 A. How long did he call?

6 Q. We were told that he tried calling this  
7 station for 15 minutes, calling the call sign of the  
8 signal 4 or 5 times and about 10 or 12 times altogether,  
9 stating the letters, the call letters of the station  
10 4 or 5 times each time he tried. He tried 10 or 12 times  
11 during the 15 minute period.

12 A. It could be a number of reasons. One  
13 of the reasons is that his equipment might not have  
14 been in operation. This has happened several times.  
15 The other reason -- I can't see it for that length of  
16 time. The only reason if he wasn't heard is his equipment  
17 might not have been operating.

18 Q. In your experience in your station have  
19 you ever been so busy that you couldn't answer a call  
20 for an hour?

21 A. Never, never.

22 Q. Never?

23 A. You could always answer to tell them to  
24 stand by. You are never that busy.

25 Q. In your experience how long have you  
26 kept a ship waiting?

27 A. It is difficult to give an exact time.  
28 I couldn't say exactly. It is difficult to say. I  
29 mean we have phone calls that come on. We put through  
30 phone calls also, commercial calls with local companies.





1 Q. Could it happen you could be so busy  
2 with messages or some messages so long that you would  
3 have to keep the other traffic waiting for an hour?

4 A. I see no reason for it.

5 Q. A half hour?

6 A. No, I see no reason for keeping a ship  
7 waiting at all aside from the time you tell him to stand by  
8 till you finish with another ship. I can't see it at  
9 all.

10 Q. Based on your own experience are you  
11 able to tell the Commission whether the work load, your  
12 work load falls in a pattern throughout the year or  
13 throughout a week or month?

14 A. I don't understand the question.

15 Q. Would your work load fall within a definite  
16 pattern during the day or during the week or during  
17 the month?

18 A. Well, I wouldn't say there is a definite  
19 pattern. It varies. It varies from day to day. It  
20 isn't a definite set pattern, no.

21 Q. Could we, for instance, say between the  
22 hours of 9 in the morning and 4 in the afternoon, that  
23 would be the busiest time throughout the year?

24 A. That is difficult to say. It isn't always,  
25 no. I couldn't say generally busy during the day, but  
26 at night -- I couldn't say before.

27 Q. Now, you said that you were bilingual  
28 and you did translations. Do you translate yourself  
29 these forecasts?

30 A. Yes.







1 Q. As you go along. Where did you learn your  
2 French?

3 A. In school and also I lived in the Province  
4 of Quebec practically all my life.

5 MR. JACQUES: Thank you, sir.  
6

7 RE-CROSS EXAMINATION BY MR. LALONDE:

8 ( Q. I have here Exhibit 512 given by Mr.  
9 Gingras and it is said here to be a certain number of  
10 messages coming from the log of your station. Since  
11 you used to do translations would you please translate  
12 this paragraph and message which originated in Quebec? )  
13  
14

15 Q. Monsieur Fairclough, j'ai ici la pièce 572, qui  
16 a été produite par monsieur Gingras, je crois, hier, dans son  
17 témoignage, et que contient un certain nombre de messages tirés  
18 du livre de bord de votre station. Auriez-vous l'obligeance, étant  
19 donné que vous êtes obligé de faire la traduction, pourriez-vous  
20 nous traduire ce paragraphe-ci et ce message-ci, par exemple,  
21 qui est originaire - qui originait de Québec?

22 R. Ca ici, ce paragraphe-ci?

23 Q. Oui.

24 R. Le 11 avril, - may I explain: The first thing,  
25 we don't give reports in GMT in local time, l'heure avancée de l'est,  
26 so, in the text, it would be: 9, 28, le paragraphe ici se lit comme:  
27 le 11 avril, à 13.28 GMT, le capitaine Rocca a rapporté la bouée  
28 conicale à la dérive, un mille près de la barre St-Augustin.

29 Le 21 avril, à 17.44 GMT, le Hudson Transport  
30





- 1                               rapporte - je répète: avril le 21, le 21 avril,  
2 17:44 GMT le Hudson Transport rapporte que la bouée Beaumont-  
3 St-Laurent - it doesn't even make sense in English - paraît.....  
4 je vais recommencer celle-là.  
5 Q.                               Continuez celle-ci?  
6 R.                               La bouée paraît un peu au sud de son position  
7 normale, et que le 4 ami, à 05:16 GMT, le John F. Misener rapporte  
8 son ETA Quebec 01:45 heure avancée de l'est, et la bouée 87, un  
9 demi-mille au sud-est de son position.  
10 Q.                               Et je note que vous traduisez "quite a bit" par  
11 "un peu". Est-ce que c'est la traduction habituelle?  
12 R.                               I am not under the tension, I am here, when I  
13 am not worried.  
14 Q.                               Quelque peu. 01:45 local time, vous traduisez  
15 toujours...?  
16 R.                               Yes, because local time, it doesn't mean too  
17 much.  
18 Q.                               Congratulations on your French.  
19 A.                               Thank you.

20

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5958

1 Q. What do you mean exactly? From what time  
2 to what time is your night duty?

3 A. You mean when one man is on duty alone. It  
4 is from midnight local time to 8:00 a.m. in the morning.

5 Q. Now you mentioned that ships wishing to  
6 contact your station should monitor the station first.  
7 assuming that you are listening on your broadcast on  
8 V.H.F. and the ship monitors you on H.F.?

9 A. I don't get that question.

10 Q. Suppose you have a V.H.F. set you are  
11 working on?

12 A. That is right.

13 Q. And I call you on the H.F. set, monitor  
14 you on the H.F. set. How can I monitor you if you are  
15 not on the same frequency that I am monitoring you on?

16 A. That is not my problem if the ship hasn't  
17 got the correct frequency.

18 Q. It shows the ship can monitor you without  
19 success?

20 A. If he can't hear me, he knows I am not  
21 there.

22 Q. He doesn't know you are not busy on  
23 something else?

24 A. No, but all he has to do is call me on  
25 2182 kilocycles.

26 Q. If I am on the other set, I can't.

27 A. If I am on the other set all you have to  
28 do is call 2182 kilocycles.

29 Q. If you are working on your key --

30 A. You can't if I am working on keys, you







1 can't monitor me at all.

2 Q. I am showing that monitoring won't do  
3 all the work that you infer it would do, the same as if  
4 you were on the land line he won't know you have actual  
5 broadcast by listening on the different frequency? Is  
6 that a fact?

7 A. What you are trying to get at? I am lost  
8 here.

9 Q. You seem to put the blame on the ships,  
10 they should monitor your station before calling your  
11 station and I am just trying to establish that if a  
12 ship monitors your station, it is of no avail.

13 A. It takes a second, all he has to do is  
14 listen. If he doesn't hear, he can call on 2182.

15 Q. If he doesn't get an answer...

16 A. Generally one station call where we answer.

17 Q. Now when you are working say on your  
18 V.H.F., or even on your range 2, your station is being  
19 called on range 1, 2182, do you have a loudspeaker  
20 on?

21 A. All the time.

22 Q. Is it not a fact that when you are working  
23 on a different frequency and reception is not too good,  
24 that you close or shut down your loudspeaker sometimes  
25 to get better reception?

26 A. Never, because we have what they call a  
27 slow circuit and the loudspeaker remains quiet until  
28 the signal goes through.

29 Q. Could that not prevent you from listening  
30 to the call, hearing the call coming in?





1 A. No sir.

2 Q. You are very sure of that?

3 A. Positive.

4 Q. Thank you.

5  
6 CROSS-EXAMINATION BY MR. JACQUES:

7 Q. I couldn't think of my last question a  
8 moment ago. What happens if you hear the words security,  
9 security, security?

10 A. Well you are supposed to -- all stations  
11 actually are supposed to stop transmission and listen  
12 to what the security is.

13 Q. The minute you hear that you stop trans-  
14 mitting?

15 A. Yes. It all depends on what region it  
16 is. If it is local, you do. If it is down somewhere  
17 off the coast of Bermuda, that can't affect us.

18 Q. Let's keep our mind on ships plying the  
19 St. Lawrence. If you were transmitting a message on  
20 radio-telephone, or if you were busy on radio-telephone  
21 and on your loudspeaker you would hear the words  
22 security, what would you do then?

23 A. I would continue transmitting on the working  
24 frequency because I don't necessarily have to monitor  
25 the security. All I have to do is make sure that I  
26 don't interfere with these security calls. I wouldn't  
27 be if I was on the working frequency.

28 Q. Do you send your forecast on the key  
29 or radio-telephone?

30 A. On both.







1 Q. And how long does that whole operation  
2 take?

3 A. It varies. I would say between 15 minutes  
4 and it could go to 40 minutes.

5 Q. Fifteen to 40 minutes?

6 A. That is right. That is both English  
7 and French.

8 Q. Thank you very much.

9 MR. LANGLOIS: My lord, I just wish to  
10 draw the attention of your lordship and the commissioners  
11 that while the operator will be sending the forecast,  
12 weather forecast on the key, and if this takes 15 to  
13 30 and sometimes 40 minutes the station could not be  
14 monitored and he could not be called if he is alone.

15 THE CHAIRMAN: We will have a short  
16 recess.

17 ---Short recess.

18 ---Following short recess.

19  
20 HAMEL, ALBERT, Sworn

21 DIRECT EXAMINATION BY MR. JACQUES:

22 Q. You may sit down. Would you please  
23 state your full name and age?

24 A. Albert Hamel, 67 years old.

25 Q. I think you have been Local Supervisor  
26 for the Pilotage, Quebec Pilotage District for many  
27 years?

28 A. Yes, from 1936 to 1961.

29 Q. Now could you please tell us, or give  
30 us the historical aspects of pilotage administration





1 ever since you have been doing that work? What happened  
2 when you started in that field? How was pilotage ad-  
3 ministered?

4 A. Well at that time we had a Superintendent  
5 in Montreal and he was an administrator. Any questions  
6 that might be settled locally in Quebec, were settled  
7 here but for all important matters, we referred to the  
8 Superintendent in Montreal.

9 Q. Now what type of office did you have in  
10 Quebec at that time?

11 A. Well when I came in 1936 we had a dis-  
12 patching office. We had both districts, Montreal and  
13 Quebec Districts in the same office and then they were  
14 separated, one was supervising the Montreal office and another  
15 one for the Quebec District Office and then there was  
16 a merger and there was a man who was entrusted with  
17 the pilots in Montreal, or Quebec and then Three Rivers.  
18 Personally I was looking after the superintending, the  
19 maintenance of the building from and  
20 Escoumains and Father Point?

21 Q. Now what sort of staff did you have? Do  
22 you remember what staff you had at your disposal?

23 A. Yes.

24 Q. Could you please describe to us this  
25 staff, its number and function?

26 A. When I started there were two offices,  
27 one in Montreal and Quebec. The two districts were  
28 separated. There was Mr. Bedard, who was looking after  
29 Quebec Pilots and Mr. Lachance who was looking after the  
30 Montreal pilots.





1 Q. And those two persons were dispatchers?

2 A. Yes, they were a type of dispatcher. Per-  
3 sonally I was only a small clerk at that time. Then we  
4 had a superintendent in Quebec, at that time Mr. Lachance  
5 and then Captain and then it was transferred  
6 to Montreal and then upon the death of Mr. Rousseau  
7 I was appointed here. He was Superintendent from the  
8 Quebec District.

9 Q. In what year?

10 A. 1936.

11 Q. You have been in Quebec ever since 1916?

12 A. From 1916 to 1936.

13 Q. From 1916 to 1936?

14 A. Yes.

15 Q. You have been in pilotage administration  
16 ever since 1916?

17 A. Yes, for 45 years.

18 Q. And dispatching at that time, how was it  
19 done?

20 A. Well, if Father Point needed pilots, a  
21 request was sent to us and we dispatched some by train  
22 or by bus. The system works about the same way, I  
23 think.

24 Q. On the administration you said that you  
25 had some dispatchers when you were appointed Superintendent.  
26 How many dispatchers did you have?

27 A. Recently we had one for two districts who  
28 was looking after the Montreal and Quebec Districts.

29 Q. Was he on duty 24 hours a day?

30 A. No. He was staying there all day giving







1 instructions, in the evening and he was phoning the pilots  
2 for the night and he had two night clerks who were  
3 looking after pilotage and the other one after the  
4 Signals Service. They would help each other out.

5 Q. This is for to-day?

6 A. Yes.

7 Q. If you want, we will go back to 1936, what  
8 did you have at your disposal then?

9 A. In 1936 we had two dispatchers, one for  
10 Quebec and one for Montreal. On the evening when we  
11 are leaving, personally I was a dispatcher at one point  
12 and when we are leaving, there was a changeover in the  
13 night shift and at first when I started in the field  
14 of pilotage I was working 7 days a week, including  
15 Monday and Saturday and Sunday morning I was going to  
16 Mass and I was going to the office about 9 and I was  
17 replacing the old gentleman who was going home to  
18 luncheon and he came back at one and then I would stay  
19 on until Monday morning.

20 Q. At that time the pilotage service was  
21 administered by the Department of Transport?

22 A. Well it was the Marine Department at  
23 that time.

24 Q. Did you have any accountant working in  
25 your office in 1936?

26 A. Well in 1936 we had some accountants. We  
27 had Mr. Bedard and we had others who we appointed after  
28 Mr. Bedard, when Mr. Bedard left.

29 Q. How many did you have at that time?

30 A. Only one.





1 Q. And when you left that service how many  
2 did you have?

3 A. One accountant. Only one accountant at  
4 all times because in the Quebec District we were looking  
5 after the collections only for the Quebec District. In  
6 Montreal they were doing their own billing and collection.

7 Q. Could you please relate your experience  
8 concerning the field of discipline ever since you have  
9 been Superintendent?

10 A. Insofar as pilots are concerned, well  
11 I got along very well with the Pilots' Committee, with  
12 all committees. They made suggestions and complaints.  
13 I could make some too. Anyways, we went along very  
14 well. In certain cases I had to make certain penalties  
15 for discipline purposes.

16 Q. In the first years of your term of office  
17 did you ever receive complaints about pilots who were  
18 intoxicated aboard a ship, or going on board a ship?

19 A. You mean when I was a Superintendent?

20 Q. Yes?

21 A. Yes.

22 Q. Let us say at the beginning of your term  
23 of office?

24 A. Well not absolutely at the beginning of  
25 my term of office but during my term of office anyways  
26 I received a few reports to that effect.

27 Q. You said a few of them. How many of  
28 them was it? Was it a frequent occurrence?

29 A. No.

30 Q. Were you forced to take any disciplinary







1 measures against such pilots?

2 A. Yes.

3 Q. You imposed what type of penalties?

4 A. Well first I was imposing a penalty of  
5 \$40.00. Sometimes I was calling for certain pilots.  
6 They were just asking is this \$40.00? I would say yes.  
7 So I would make a report about the case and then after-  
8 wards we were friends.

9 Q. Did it happen often that a pilot said  
10 that he was guilty even before having heard the accusation?

11 A. Well I could say that one of them was  
12 sincere. This is quite exceptional, but that case was  
13 an exceptional one.

14 Q. What is exceptional?

15 A. Well you asked me if I had received reports  
16 to the effect pilots were going on board ships when they  
17 were intoxicated.

18 Q. So that was exceptional?

19 A. Yes.

20 Q. And not the one who said that he was  
21 guilty. Did you ever have any other type of terms of  
22 discipline? For example, delay in boarding a ship?

23 A. Yes, sometimes, but it is not serious.

24 Q. Now concerning the delays and intoxication,  
25 did you receive any complaints on the part of ship owners?

26 A. Yes, certain of them wrote us letters  
27 and sometimes the ship masters have written me letters.  
28 I remember one time there was a dead pilot, I am not  
29 mentioning names, I have spoken to Ottawa and Ottawa --  
30 rather Montreal Superintendent had told me to go and meet





1 a ship because there is something that had happened during  
2 that trip from Father Point to Quebec on that trip?

3 When the ship came in, I went to meet the ship  
4 master and asked him for his own version of the events.  
5 Then I asked the pilot to go home and then I came back  
6 to my office and the pilot was suspended.

7 Q. Did it happen often?

8 A. That was the only time it happened.

9 Q. Did you follow a given procedure whenever  
10 you were doing some investigation of intoxication cases?

11 A. I was summoning the pilot. I asked him  
12 some questions, naturally when he couldn't -- whenever  
13 I had some evidence, well he had a penalty and sometimes  
14 well there was an official investigation and sometimes  
15 we charged \$40.00.

16 Q. Who gave you the information that the  
17 pilot was intoxicated?

18 A. At night, whenever I wasn't there, or  
19 during the evening I received a report on the part of  
20 various employees. I remember once that a pilot, who  
21 is dead now, I was going out of the office and the pilot  
22 was coming down stairs from the stairway, and then the  
23 bottle fell on the floor. I said no no, no turn. I  
24 will call another pilot. The pilot immediately was  
25 imposed a \$40.00 penalty. This is one case.

26 Q. Did it ever happen that other pilots have  
27 reported the fact that another pilots was intoxicated?

28 A. Oh no, no. This is a very rare  
29 occurrence.

30 Q. You say that this is a rare occurrence







1 so it happened before?

2 A. Well perhaps with my diplomacy and tact  
3 perhaps I had an opportunity of getting some information,  
4 or leakage of information but officially, no.

5 Q. But not officially?

6 A. Perhaps this has happened, yes.

7 Q. Now do you think these reports submitted  
8 by pilots, unofficial reports of a pilot concerning  
9 the behaviour of another pilot was frequent?

10 A. No. At first when I was in the field, I  
11 was appointed as Superintendent I was quite nervous.  
12 I was trying to get some information, I shouldn't have  
13 never tried to get in the first place so finally I  
14 got some written information on that.

15 Q. Without having written evidence or without  
16 having requested any written reports, it would happen  
17 that certain pilots complained about the behaviour,  
18 they unofficially complained about the behaviour of other  
19 pilots. Even if it was unofficial, you did not take  
20 steps later on against the one you had a complaint about?

21 A. No. Personally I got some complaints  
22 which had nothing to do with pilotage and it was not  
23 necessary to take steps. Sometimes I received some  
24 slight information.

25 Q. On the part of other pilots. Sir this  
26 power of imposing a penalty which you had, according  
27 to the old regulations, no longer exists according to  
28 the new regulations. Were you occupying that position  
29 when these new by-laws were implemented?

30 A. Yes. I think we no longer have the right







1 to impose a penalty. What is the date?

2 Q. I would like to show you Exhibit 429.

3 A. Well I haven't looked at it during the past  
4 two years.

5 Q. According to your experience, which is  
6 quite impressive, do you think that this power to  
7 impose a penalty on a pilot was useful for the Super-  
8 intendent in order to maintain discipline and order?

9 A. Yes. Well you see money is always im-  
10 portant.

11 Q. Can you remember how many times every  
12 year you were forced to have recourse to that penalty?

13 A. Well not very often. Well I had some  
14 regular customers.

15 Q. And such offences by regular customers,  
16 were they because of intoxication?

17 A. Well yes, sometimes. Well they were  
18 intoxicated but very slightly.

19 Q. What about other cases?

20 A. Those we really had to take in something.

21 Q. Well I was just asking in the case where  
22 you were forced to impose a penalty on pilots and I asked  
23 you was it very frequent and you said not too often.  
24 You said you had some regular customers. Amongst those  
25 customers were those cases of intoxication?

26 A. Sometimes intoxication but not serious  
27 intoxication.

28 Q. But it was for some reason they were  
29 appearing before you?

30 A. Yes.





1 Q. Did you ever use this power to impose a  
2 penalty for other kinds of offences aside from intoxi-  
3 cation?

4 A. Yes, a few cases.

5 Q. Could you tell us about those cases?

6 A. For example, impoliteness.

7 Q. How many times did that happen?

8 A. Only once.

9 Q. Do you remember other cases?

10 A. Well I don't recall right now.

11 Q. Did you ever impose a penalty for pilots  
12 because they were late in reporting?

13 A. I remember that I imposed a penalty  
14 for a pilot because he had been absent without any reason.

15 Q. Did you ever get other cases, aside from  
16 the ones you have mentioned?

17 A. It's a rare occurrence.

18 Q. How many pilots did you have at the  
19 beginning of 1936?

20 A. 70. I don't recall, exactly.

21 Q. As many as that in 1936? I understand  
22 that you did not look at your books in the past 2 years  
23 and naturally it is difficult for you to quote accurate  
24 figures. Can you please tell the Commission how the  
25 apprenticeship system was working in 1936 when you became  
26 Superintendent?

27 A. Well we had here in Quebec a list of  
28 recruits for the Montreal and Quebec District so a young  
29 man of 16 could make his request either in the Montreal  
30 or Quebec Districts or both Districts if he so desired.







1 If a young man was 16 years old, he was in good  
2 health and had good vision and he had a certificate of  
3 good behaviour, and then his name was placed on the  
4 list and when we needed some apprentice, we followed the  
5 system of seniority, the first one who had made a re-  
6 quest, he was asked in as an apprentice.

7 Q. Was there an age limit?

8 A. It was 30 years.

9 Q. In both districts?

10 A. Well Montreal District, I am not quite  
11 sure but I think it was 30 years as well.

12 Q. Were there any changes in those age  
13 limits?

14 A. Yes, I think that the Pilotage Act was  
15 changed.

16 Q. Was there not any change brought about  
17 and then subsequently cancelled?

18 A. Yes, if I remember correctly -- just a  
19 second -- I haven't seen the by-law.

20 Q. What was the practical effect of such  
21 changes in age limits which were subsequently changed?  
22 Can you remember?

23 A. No.

24 Q. In the course of the last World War,  
25 were there any preferential clauses in favour of veterans  
26 so that they may become apprentices?

27 A. No.

28 Q. Do you think that the age limit for these  
29 people had not been set aside?

30 A. I don't know if there was a clause to





1 the favour of the veterans or not. I can't remember.

2 Q. Now the sleeping quarters existed in  
3 Quebec, were they created in your time?

4 A. Well when I started in 1916 we had some  
5 sleeping quarters in both districts, in both Montreal  
6 and Quebec.

7 Q. For how long did it last?

8 A. I left in 1961. It seems that all sleeping  
9 quarters, and all that had been eliminated.

10 Q. While you were superintendent was there  
11 any question of abolishing these sleeping quarters?

rench12 A. Well, I heard about it, but nothing had  
13 been decided about that.

14 Q. Did the pilots complain about these sleeping  
15 quarters when you were in office because of dirtiness  
16 or overcrowded?

17 A. Sometimes they were complaining that,  
18 let us say the smell wasn't exactly as it should have  
19 been, but aside from that they didn't complain.

20 Q. How many beds were there?

21 A. In the Montreal District there were two  
22 sleeping quarters and for the Quebec District there were  
23 two -- well, about eight beds upstairs and ten beds  
24 downstairs, so there were about 18 beds for each district.

25 Q. Were these beds regularly used?

26 A. Practically regularly. The Quebec pilots  
27 who had been staying in Quebec, some left at 2 or 3  
28 in the morning and they were called to board a ship at  
29 2 o'clock at night. They would go at 11:30 at night  
30 and be at the sleeping quarters and they were wakened up





1 by the dispatcher and sent to board the ship.

2 Q. Was that the normal system at that time?

3 A. Yes. When I started in 1916 and when I  
4 left the beds were still there.

5 Q. Talking about the pilots who are going to  
6 the sleeping quarters if they were called during the  
7 nighttime -- did other pilots use these sleeping quarters  
8 as well?

9 A. Yes, some were getting there at night and  
10 other pilots who were arriving at night or would sleep  
11 there until 7 o'clock or 8 o'clock and then would go home  
12 and the pilot who came from Montreal, the same applied  
13 there.

14 Q. Were there pilots from Montreal who were  
15 waiting for a return trip that would remain on the  
16 pilotage station?

17 A. Well, that was rare. Those waiting for  
18 two days often times went to the hotel.

19 Q. Was there always a Pilots' Committee  
20 in each district?

21 A. Yes.

22 Q. Always?

23 A. Yes, well, I always was aware of such  
24 a committee.

25 Q. Ever since you were Superintendent?

26 A. Yes.

27 Q. Can you tell us the role of such a committee  
28 when you became superintendent?

29 A. Every year they held an annual meeting  
30 and the Members of the Committee are elected by the







1 assembly of pilots in order to make requests and rep-  
2 resentations ;or complaints because the Superintendent  
3 couldn't have every pilot coming in --you couldn't do  
4 a thing. The Pilots' Committee represented the whole  
5 Corporation of Pilots and I came to the office and we  
6 sat together and we discussed matters and if I needed  
7 some special help, well I was asking Ottawa.

8 Q. Would it happen that the Pilot's Committee  
9 would go beyond you directly to Ottawa in order to  
10 submit their problems?

11 A. No, not while I was in office.

12 Q. Did it ever happen that the pilots on  
13 an individual basis would submit their problems without  
14 having to go through the Committee?

15 A. Well a few of them. Well, naturally  
16 I wouldn't make any decision at that time and I don't  
17 apply any by-law without asking the Pilots' Committee.  
18 Naturally the Pilots' Committee didn't always inform  
19 about such cases.

20 Q. Were you Superintendent when there was  
21 threats of a strike originally, I think it was two years  
22 ago, in 1960?

23 A. In the Quebec District?

24 A. I am talking about threats, I am not  
25 talking about a strike, but threats to strike.

26 A. Well, personally I wasn't threatened.  
27 A threat about a strike -- there were never any mention  
28 of a strike. There was mention of assembly or a meeting.

29 Q. There was?

30 A. Yes, in the Montreal district which was





1 held in Three Rivers for the Quebec District. I had  
2 already left then. I was no longer occupying my position.

3 Q. During your term of office as Superintendent  
4 was any mention made of convening a general meeting of  
5 the pilots during the navigation season?

6 A. You mean that I had been advised that  
7 a meeting would be convened?

8 Q. Not necessarily that you had been advised  
9 but that you knew directly or indirectly that the pilots  
10 general meeting would be held during the navigation  
11 season?

12 A. The one in the Montreal District, I was  
13 aware of it, somebody had given me information about  
14 that and I knew that there was to be held a meeting.

15 Q. And the Quebec District, before these  
16 last few years, did you ever hear that a general meeting  
17 would be convened during the navigation season?

18 A. Not to my knowledge unless my memory would  
19 be failing me, but I can't remember.

20 Q. You don't remember a case where the  
21 pilots said that they are going to hold a general meeting,  
22 let us say in June or August?

23 A. No, I don't recall that.

24 Q. In the course of your term of office  
25 were there complaints of the pilotage administration by  
26 the Department of Transport?

27 A. The Department of Transport were com-  
28 plaining -- the Pilots' Committee, I know went to Ottawa  
29 often times, but I never accompanied them.

30 Q. When you were Superintendent did you







1 directly or indirectly, were you made aware directly  
2 or indirectly of complaints of pilots either on a collective  
3 basis or an individual basis against the administration  
4 of pilotage by the Department of Transport?

5 A. Directly or indirectly, yes.

6 Q. Would you tell us the nature of such  
7 complaints?

8 A. Well, I couldn't tell you exactly.

9 Q. Why?

10 A. Because I don't know the nature of those.

11 Q. So you don't remember what they were,  
12 what the subject matter was?

13 A. Well, there were some complaints at times  
14 about certain employees of the Citadel.

15 Q. Were there any complaints to the effect  
16 that you weren't endowed with enough power in Quebec in  
17 order to administer pilotage on an efficient basis?

18 A. You mean navigation certificate?

19 Q. No, I am talking about power, if you had  
20 enough power.

21 A. Perhaps it was this, but I never heard  
22 about it.

23 Q. You mentioned the Citadel before, what  
24 type of complaints were made against the Citadel System?

25 A. Well, it was the ship's master didn't want to  
26 leave the pier or he was waiting for 3 or 4 ships to be off.

27 Q. You heard about that?

28 A. I heard about that.

29 Q. Were any complaints submitted to you  
30 directly concerning the Citadel?





1 A. Yes.

2 Q. To you?

3 A. To me, yes.

4 Q. Were these the complaints you just  
5 mentioned?

6 A. Yes.

7 Q. During your term of office have there  
8 been any problems concerning docking of ships going down  
9 the river in the area of St. Charles River?

10 A. You mean ships coming from Montreal wanting  
11 a Quebec pilot for docking.

12 Q. Yes?

13 A. It happened that the ships coming from  
14 Montreal sent us a message asking for a pilot from Quebec  
15 to dock.

16 Q. Was it not the task and the duty of the  
17 Montreal pilot to dock the ship in Quebec?

18 A. According to the regulations I have always  
19 followed I think the pilot has to take the ship to its  
20 destination. It has happened in the last years that  
21 I was in office that we were asked for a pilot in the  
22 District and the companies pay for it. They charge it  
23 to the ship.

24 Q. These requests for pilots docking, do  
25 you know whether they came from the ship's captain  
26 or from the Montreal pilot who didn't want to do the  
27 docking?

28 A. They came from the ship. We received  
29 a message saying send a pilot to dock.

30 Q. As a result of these request did you make





1 an investigation of these matters?

2 A. Well, we asked sometime the pilots to  
3 say what was going on. Some pilots have never been in  
4 the Montreal District and they didn't know the place,  
5 so that in order to avoid an accident they asked for a  
6 Quebec pilot.

7 Q. I am talking about the estuary of the  
8 St. Charles River?

9 A. In the St. Charles River we have had  
10 the pilots from Montreal asking for Quebec pilots, but  
11 not all, no.

12 Q. When the Montreal pilot didn't want to  
13 dock a ship in St. Charles River estuary and the Quebec  
14 Pilot did this docking were there special charges?

15 A. Yes.

16 Q. For the Quebec Pilot?

17 A. Yes. Well, he had nothing to do with the  
18 ship. He had to get paid for it.

19 Q. Now, this charge is equivalent to a  
20 movage?

21 A. Yes, it is a movage.

22 Q. To your knowledge are there companies who  
23 have complained of this charge?

24 A. They might have complained, but they  
25 always paid. We have had some complaints.

26 Q. A few complaints. Do these complaints  
27 go directly to you?

28 A. Oh, yes.

29 Q. What did you do about these complaints?

30 A. I sent them to my Supervisor in Montreal.







1 Q. Do you know what happened then?

2 A. When I left it was sort of a habit, the  
3 pilots who asked -- the Montreal pilot was asking for  
4 a pilot to dock and they sent him a pilot.

5 Q. And recently, just before you left the  
6 service did you still receive these complaints?

7 A. No, no, no complaints. This is not  
8 a majority of the ships stopping in Quebec to ask a  
9 special pilot. I don't know now that I have left what  
10 they do.

11 Q. You have been there for a long time. You  
12 know the pilots?

13 A. Yes.

14 Q. Those who refused to dock the ship in  
15 the estuary, without mentioning their names, can you  
16 tell us whether it was the older generation or the younger  
17 generation?

18 A. That is a difficult question to answer.

19 Q. You know if they are old pilots or young  
20 pilots?

21 THE INTERPRETER: Mr. Lalonde is  
22 speaking without the microphone and cannot be translated.

23 MR. JACQUES: Knowing all these pilots  
24 you will know all their backgrounds.

25 A. Some of them I have trained and known  
26 since they were apprentices in the pilots.

27 Q. Do you know whether they obtained their  
28 experience in the high sea, in the coastal trade --  
29 you know their various pilots. You followed their  
30 careers since they were apprentices so you know more or





1 less what was their maritime experience before they  
2 became pilots?

3 A. Yes.

4 Q. Among this group who don't want to do the  
5 docking in the St. Charles Estuary, are you in a position  
6 to find the common denominator.

7 A. You want the number of them?

8 Q. Yes, if you can give me the number. Is  
9 there a common factor, a factor common to all those  
10 pilots which would be a reason for their refusal.

11 A. I would say it is an exception amongst  
12 the pilots who refuse.

13 Q. An exception?

14 A. An exception.

15 Q. We could trace back the number of times  
16 that a Montreal Pilot was relieved by a Quebec Pilot  
17 just for docking?

18 A. Yes.

19 Q. To the best of your knowledge during  
20 your last year in office how many times did that happen?

21 A. Let us say 10, 15 times.

22 Q. Between 10 and 15 times. Now,  
23 to the best of your knowledge in the St. Charles Estuary  
24 during your last year altogether how many ships, how  
25 many piloted ships have docked there?

26 A. Oh, I haven't got the record. I couldn't  
27 answer. You will have to find that in the National  
28 Harbours Board.

29 Q. I am changing the subject now. I think  
30 that pilots during the time of your office have been







1 refused twice to board a ship at Father's Point. Do you  
2 remember that?

3 A. I remember that.

4 Q. Without mentioning the names of the ships  
5 or the name of the pilots can you tell us what you know  
6 about these incidents?

7 A. THE CHAIRMAN: The same ship twice or  
8 two different ships.

9 MR. JACQUES: Two different ships, my  
10 lord. I think it is better the witness talk about it.

11 A. I would have to know the name of the ship.

12 Q. Did this happen during the last year?

13 A. Not during my last year.

14 Q. One of the ships was the Beaver?

15 A. That I don't remember.

16 Q. Now, has it happened several times when  
17 a pilot was refused by the master?

18 A. Yes, in Quebec. He left here and went  
19 on board and was sent back by the Captain to send another  
20 pilot.

21 Q. To the best of your knowledge what was the  
22 reason?

23 A. Alcohol.

24 Q. During the term of your office as  
25 Supervisor were there a number of pilots who lost their  
26 license because of drinking, not several pilots, but  
27 are there some pilots who have lost their permits because  
28 of drinking?

29 A. I don't remember. No, some of them have  
30 been sick, but we don't send them back for that.





1 Q. Are they retired?

2 A. (No interpreted answer).

3 MR. JACQUES: That is all, thank you.

4  
5 CROSS-EXAMINATION BY MR. LALONDE:

6 Q. The last question asked by my colleagues  
7 concerning the withdrawal of pilots' permits, that would  
8 concern only Quebec?

9 A. Only Quebec, yes, Quebec District.

10 Q. Mr. Hamel, do you remember if at the end  
11 of the War there wasn't a provision to the effect that  
12 apprentices who served during the War could go on with  
13 the apprenticeship after the War even if they were over  
14 25?

15 A. In the Montreal District?

16 Q. Or Quebec?

17 A. Yes, I think those that went to War, some-  
18 body that had been detained in his apprenticeship be-  
19 cause of his service in the War could go on.

20 Q. You remember that?

21 A. For Montreal.

22 Q. For the Montreal District. What about  
23 Quebec, do you remember?

24 A. I think that was for both districts.

25 Q. You have very long experience in pilotage,  
26 Mr. Hamel. All the evidence I have heard has been very  
27 good, excellent. You have probably noticed a great  
28 change between 1916 and 1961 in the pilotage activity  
29 in the St. Lawrence?

30 A. A great deal, number of ships and number of





1 pilots.

2 Q. What are the main comments, observations  
3 that you can make concerning pilotage activities in the  
4 Quebec District? during there 37 years?

5 A. During the ...

6 A. Every year it increased.

7 Q. Can you remember more or less how long it  
8 took a pilot in 1916 to go from Father's Point to Quebec?

9 A. What sort of ship are you talking about,  
10 an ocean ship.

11 Q. Let us take an ocean-going ship as an  
12 example?

13 A. Sixteen to eighteen hours.

14 Q. Was there a great deal of difference with  
15 a barge?

16 A. Well, a barge could take about two or three  
17 hours.

18 Q. In 1936 when you became Supervisor how  
19 long did it take, about the same thing?

20 A. More or less the same thing except the  
21 speed of vessels has increased in the last few years.

22 Q. Do you remember how many trips were made  
23 by pilots during one season in 1916, more or less at  
24 the beginning of your career?

25 A. About 55, I should think.

26 Q. What about 1936, had it increased a great  
27 deal?

28 A. Oh yes, it went to 70, 65 to 70 in 1936.

29 Q. Now, in 1961 when you left pilotage what  
30 were the number of trips?







1 A. 80, 85.

2 Q. And the length of the trip has decreased  
3 in 1961?

4 A. Some. Speed of some ships has increased  
5 so it takes less time.

6 Q. What about ocean-going vessels and a  
7 laker?

8 A. A lot of lakers don't have pilots and  
9 they have increased their speed anyway.

10 Q. You don't know how long it takes. Since  
11 1936 -- you have been questioned concerning apprenticeship,  
12 can you tell us how long the apprenticeship period was  
13 between 1936 and 1950, 1955 in the Quebec District?

14 A. Oh, it was rather long with some, seven,  
15 eight years.

16 Q. Was it frequent to have such cases?

17 A. Seven, eight years -- that depends on the  
18 navigation we had on the river. When there was a lot  
19 of navigation the Committee asked for pilots.

20 Q. Did you know a lot of pilots who have done  
21 their apprenticeship through seven, eight years?

22 A. Yes.

23 Q. During that period were they paid, the  
24 apprentices?

25 A. Paid by the companies when they were  
26 doing apprenticeship.

27 Q. Is it the same practice which is being  
28 followed now of ships giving money to the apprentices?

29 A. From the ship, you mean?

30 Q. When having done a trip, I think it is





1 \$15.00?

2 A. It used to be \$5.00.

3 Q. But it is the same custom? You know the  
4 pilot station was at Father's Point?

5 A. Yes.

6 Q. I suppose this station was closed in the  
7 winter until it was moved to the north shore?

8 A. Yes, they used to close it in the winter.

9 Q. Was this due to the fact that there was  
10 not enough ships going up river or was it due to  
11 difficulties caused by ice?

12 A. Well, in the fall there was a lot of ice  
13 and some had trouble and they came here. Then there  
14 are icebreakers.

15 And then there are the icebreakers who went  
16 down and got the pilot.

17 Q. This is because there was too much ice  
18 at Father's Point?

19 A. Yes, too much ice and snow.

20 Q. Thank you.

21 THE CHAIRMAN: Do you have a lot of questions  
22 to ask Mr. Langlois? I am going to ask one question.  
23 You said a while ago Mr. Hamel that there were some pilots  
24 who did not want to dock in St. Charles River and we  
25 tried to have you define those and we did not succeed.  
26 I want to know if it was always the same pilot who refused  
27 to do that?

28 THE WITNESS: I don't know what happened  
29 since 1961. I have one case which I recall, I called  
30 him in my office and asked him why he did not want to







1 take the ship in to dry dock. He said I have never been  
2 at dry dock so I have accepted his reason in order to  
3 avoid an accident.

4 THE CHAIRMAN: In the St. Charles River.

5 THE WITNESS: That is difficult to say how  
6 many there are and as I have been asked a while ago,  
7 this will appear in my record. You would have a pilot  
8 in Montreal -- Quebec and also a charge for a movage,  
9 as we call it.

10 THE CHAIRMAN: Would that happen sir,  
11 pilots come from downstream who are going up river to go  
12 into St. Charles and certain question of tides?

13 THE WITNESS: It might happen that due to  
14 the tide they can't come in and, yes, when the tide  
15 goes down we can send a pilot. That is a different case.

16 I thought that the questions asked was a  
17 case of pilots coming from Montreal and going directly  
18 to St. Charles. Now this is a case of a ship who does  
19 not want to go in or waits for the tide to go in. He  
20 goes to anchorage and when the tide is all right, we  
21 send a pilot from Quebec.

22 THE CHAIRMAN: If I understand correctly  
23 in the St. Charles River there is enough depth to go  
24 in at any time of the year?

25 THE WITNESS: It's the entrance that is  
26 difficult.

27 THE CHAIRMAN: It has been enlarged since  
28 then has it? You don't know. So I suppose we will dis-  
29 cuss this tomorrow. We will go back to the question.

30 MR. LANGLOIS: My lord, before we adjourn,





1 this morning when Mr. Jacques offered two insurance  
2 policies, the renewal certificate was missing. I suppose  
3 that my colleague wants to put them in as an exhibit  
4 because otherwise, it would not have the certificate  
5 proved that they are valid until 1963.

6 MR. JACQUES: My lord I did not want to  
7 file them.

8 THE CHAIRMAN: That is what I thought.  
9 Now what I would like would be for you to describe these  
10 policies and what they cover. Well it is easy to find  
11 out exactly but they are standard policies but what I  
12 would like to know is what do they cover. Personal,  
13 civil employee responsibility?

14 MR. JACQUES: Well I will tell you as  
15 soon as I have been able to study the policies.

16  
17 ---Whereupon the hearing adjourned until 10:00 a.m.  
18 tomorrow morning.  
19  
20  
21  
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# ROYAL COMMISSION

ON

## PILOTAGE

### HEARINGS

HELD AT  
QUEBEC CITY  
QUEBEC

VOLUME No.:

DATE:

July 24, 1963

~~50A~~  
51A

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing  
held at the Court House,  
Quebec City, Quebec, on the  
24th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild
Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J. Mahoney	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Mr. Y. Poisson	--





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1 ---Upon commencing at 10:00 A.M.

2 MR. JACQUES: Mr. Hamel please?

3

4 ALBERT HAMEL, sworn

5 CROSS-EXAMINATION BY MR. LANGLOIS:

6 My lord, before starting to interrogate  
7 this witness, I would wish, with your authorization, to  
8 file certified copies of the resolution of the ship  
9 owners of the St. Lawrence Association which has to do  
10 with radio telecommunication service on the St. Lawrence  
11 Seaway.

12 These resolutions are for the 10 last years  
13 during which there were 12 resolutions to that effect  
14 sent to the Department of Transport in Ottawa asking for  
15 bilingual operators on the Seaway as well as on the  
16 St. Lawrence River and asking also for the improvement  
17 in coastal radio stations, including installation of  
18 radio-telephone apparatus for the control of traffic in  
19 the Quebec Harbour.

20 These resolutions will be filed together as  
21 Exhibit 584.

22

23 ---EXHIBIT NO. 584: Resolution of the Ship Owners  
24 of The St. Lawrence Association.

25 Q. Mr. Hamel yesterday and during your evidence  
26 a few cases of discipline were mentioned and also incidents  
27 during which certain ship masters would have refused  
28 the service of pilots. Is it not true that it so  
29 happened that despite these complaints on the part of  
30 the shipmaster, subsequent investigation indicated in





ch1 many cases that opinion was not right?

2 A. Yes, it so happened.

3 Q. Is it not true also that as Local Super-  
4 intendent of Pilots you also received some complaints  
5 about the ship masters who were not in a position to  
6 pilot their ships because they were intoxicated?

7 A. Well on the part of pilots I often heard  
8 reports that they did not see the ship master or the  
9 ship master would come on the bridge and would be intox-  
10 icated.

11 Q. Thank you.

12  
13 CROSS-EXAMINATION BY MR. BRISSET:

14 Q. Mr. Hamel could you please give us the  
15 exact date of your leaving office?

16 A. Well I left the office for illness on  
17 April 17th, 1961 and then I stopped work altogether in  
18 December, 1961.

19 Q. So during the year 1961 you were absent  
20 from the office from the middle of April?

21 A. 17th of April in the evening.

22 Q. Although you were not officially retired  
23 you did not fulfil your functions for the rest of the  
24 navigation season?

25 A. No.

26 Q. Who replaced you during the 1961 season?

27 A. After me it was Captain Allard.

28 Q. Now you told us in the course of your  
29 administration there was here in Quebec at the Pilotage  
30 Office sleeping quarters for pilots?







ch1 A Yes.

2 Q. Do you know if they are still in existence?

3 A. Well according to the information that I

4 have received, there are no longer any sleeping quarters

5 as there were.'

6 Q. You have explained that pilots were using

7 the sleeping quarters whenever they had to wait the

8 arrival of a ship. Now considering these waiting periods,

9 did it ever happen that a vessel which had been announced

10 for a given hour at times would be one or two hours

11 late? Let us say, for example, during the night and

12 that the pilot was there at the office waiting the

13 arrival of his vessel?

14 A. Yes, it might have happened.

15 Q In those cases could it be possible for

16 the pilot to go to the sleeping quarters and sleep until

17 he was called?

18 A. Yes, he could sleep there.

19 Q. Was that a frequent occurrence during

20 the night for pilots to wait?

21 A. You mean delays?

22 Q. Delays of ships?

23 A. No. Sometimes the foggy conditions, or

24 stress of weather might have caused delays.

25 Q. When a ship was supposed to arrive at

26 night, and the pilot was supposed to board that ship,

27 let us say at 2 or 3 in the morning, did it ever happen

28 that a pilot would come in advance in order to sleep

29 at the station?

30 A. Yes, it might have happened. There might





ch 1 be a ship at night, so certain pilots prefer to come to  
2 the office around 11:30 or 12:00 in order to sleep so  
3 as not to waken their family in the middle of the night  
4 in order to come to the office, so they slept there. Every-  
5 thing depended upon the tide and as soon as everything  
6 was ready, the pilot was awakened and he was going on  
7 board.

8 Q. Mr. Hamel you are aware, I am sure, that  
9 the by-law of Pilotage for the Quebec District has been  
10 completely revised in 1957, that is 3 or 4 years before  
11 you left the administration. Do you remember?

12 A. Yes.

13 Q. I would like to draw your attention to  
14 Article 19, sub-section 3 of this new by-law of February  
15 7, 1957 which reads as follows:

16 "Article 9 (3) When the Superintendent  
17 believes, on reasonable grounds, that  
18 the ability of a pilot who is about to go  
19 on duty is impaired through the use of  
20 intoxicating liquor or narcotic drugs,  
21 he shall forthwith remove the pilot's  
22 name from the assignment list and make a  
23 full investigation into the matter and  
24 submit a report thereof to the Authority."

25 Did you have any occasion to refer to that  
26 article, that is to undertake an investigation which is  
27 mentioned there after having struck out the name of the  
28 pilot from the assignment list?

29 A. Yes.

30 Q. During the four last years before your







ch1 departure from the administration office?

2 A. Yes.

3 Q. After that new by-law was adopted, you  
4 no longer had the right to impose a fine to the pilot  
5 as you were doing before?

6 A. No.

7 Q. In the cases where you submitted reports  
8 in regards to the by-law I have just read, do you know  
9 if any sanctions were taken by the Department in Ottawa?

10 A. Yes.

11 Q. But this no longer fell under your  
12 jurisdiction?

13 A Naturally after I was doing the preliminary  
14 inquiry, which I was doing in my office, I would trans-  
15 mit my report to the Pilotage Authority in Ottawa.

16 Q. In other words, you no longer had the  
17 jurisdiction to impose disciplinary measures?

18 A. No.

19 Q. Were there any cases where you yourself  
20 had the authority to impose disciplinary measures, to  
21 impose such sanctions or in all cases were you always  
22 referring to the Central Authority in Ottawa as soon  
23 as this new by-law was adopted?

24 A. If a pilot was intoxicated, I was striking  
25 off his name immediately from the assignment list.

26 Q. And as Supervisor did you have occasion  
27 to take disciplinary measures in other cases, aside from  
28 the ones we have mentioned, that is intoxication  
29 cases?

30 A. Well I had to submit a report to Ottawa





1 before making a suspension. I had no right to suspend  
2 the pilot nor to impose a fine.

3 Q. In all cases if there was any given offence  
4 whatever its nature, you had to submit a report to  
5 Ottawa and you no longer had authority yourself to impose  
6 disciplinary measures?

7 A. No.

8 Q. Let us say in the last four years before  
9 your retirement, were there any special problems or  
10 important enough problems having to do with Pilotage  
11 here in your Quebec District?

12 A. In general?

13 Q. Yes.

14 A. Certain matters were submitted to the  
15 Department whenever there was a complaint or suggestion.

16 Q. Every time there was a problem you were  
17 submitting a report to the Department and the Department  
18 was taking the necessary steps about it?

19 A. Yes.

20 Q. In other words, you no longer had the  
21 authority yourself on site to take the necessary steps  
22 in order to settle the problems that might arise?

23 A. You mean the important matters? Of  
24 course Ottawa made the decisions.

25 Q. Well any minor matters? Could you give  
26 us an example of what you did not consider as major  
27 importance? Something that is not necessary to refer to  
28 Ottawa?

29 A. Well let us take the case, for example,  
30 of the Citadel Ship which was doing the transportation





h 1 at Father's Point. If there was a problem with the  
2 crew, if the matter could be settled here in Quebec, we  
3 did it without having to refer to Ottawa but all  
4 important matters were being referred to the Department  
5 in Ottawa.

6 Q. Now you talked to us about the apprenticeship  
7 in the course of your testimony. Was there a change that  
8 occurred in the last year of your administration in  
9 the system of apprenticeship as well as the recruitment  
10 of the apprentices for the service?

11 A. Yes, there were changes ever since I  
12 left. I think there were some changes while I was  
13 still there. There was mention of abolishment of this  
14 list of recruits.

15 We had a list of the two districts, there was  
16 Quebec and Montreal and all the young men who had made  
17 a request as possible apprentice pilots, and there was  
18 mention of abolishing these lists and to make a public  
19 advertisement in the Official Gazette and all the young  
20 men who so desired could pass an exam and make a  
21 request about it. I don't know what goes on at the  
22 present time.

23 Q. At any rate during your administration  
24 that change was not implemented?

25 A. No, not while I was there.

26 Q. So you very well understand that now there  
27 are certain public advertisements asking for pilot  
28 apprentices to make a request to become part of the  
29 apprenticeship system but before this system was imple-  
30 mented which type of system existed in your own district?







1 I would like to talk about the lists.

2 A. Anybody, any Canadian-British Subject  
3 could transmit his request if he were at least 16 years  
4 old. He could write both in English and French and had  
5 references. This was to put his name on the list of  
6 pilot apprentice recruits.

7 Q. So this list was given to you as the  
8 Supervisor of the District?

9 A. For a while I had both districts under  
10 my jurisdiction, Quebec and Montreal.

11 Q. They accepted all those who made that  
12 request so long as they fulfilled the necessary re-  
13 quirements?

14 A. Yes.

15 Q. Their names were put on the list?

16 A. Yes.

17 Q. When you left the administration, how  
18 many names did you have on that list?

19 A. Well they were quite numerous.

20 Q. Could you give me an approximate figure?

21 A. Well about 150. Well I don't have the  
22 right figure, but it's about 150.

23 Q. When you say 150, was it 150 for each  
24 district, Quebec and Montreal?

25 A. Approximately.

26 Q. Now they had given their name as pilot  
27 recruits. How many years in advance had they given their  
28 name?

29 A. Well perhaps 5 to 6 years.

30 Q. Are there any who had their names on before





1 5 or 6 years?

2 A. Yes. And when they reached 30 years, if  
3 they were not asked well their name was struck out from  
4 the list and we advised them their name had been struck  
5 off the list.

6 Q. Now these candidates to apprentice, could  
7 there be any other reasons aside from their own personal  
8 request for which you struck out their name from the  
9 list?

10 A. Naturally they were free to have their  
11 names struck out if they so desired and if they wrote to  
12 us.

13 Q. Now as a Supervisor were you a member of  
14 the Board of Examiners for the examining of candidates  
15 to become apprentices or apprentices to become pilots?

16 A. As soon as they were candidates to become  
17 apprentices, I was alone to make them pass an examination.  
18 I made them come to my office, have dictation in English  
19 and French and simple mathematics.

20 Q. When they were supposed to become  
21 apprentices, they had to pass another examination?

22 A. Well they would have an eye examination  
23 and then afterwards submit to another dictation and if  
24 they had a certificate of the First Officer for Home  
25 Trade, he was accepted.

26 Q. So you were the only examiner who was  
27 deciding about the acceptance of the apprentices?

28 A. Yes.

29 Q. As soon as the apprenticeship was over  
30 and the apprentice wanted to become a pilot did you your-







ch 1 self take part in the examination that they had to pass  
2 in order to become a pilot?

3 A. As a pilot I was there at times but only  
4 as an observer. I had not the required qualifications  
5 in order to ask questions to a candidate.

6 Q. Who was then the Member of the Board of  
7 Examiners?

8 A. Well for the Quebec District it was  
9 composed of a committee of pilots of Quebec with the  
10 representative of the Department of Transport.

11 Q. How many persons made up that Board of  
12 Examiners?

13 A. There were three members of the Committee  
14 of Pilots and one an examiner of the Captains and one from  
15 the Department of Transport.

16 Q. So the Committee was composed of about  
17 5 persons, 3 pilots from the Pilotage Committee and  
18 2 representatives from the Pilotage Authority?

19 A. So they were passing a pilot on the question  
20 of sea-faring and when they were going before the  
21 Pilotage Commission they were being questioned and  
22 passing a special examination.

23 Q. Who was deciding what was the required  
24 number of pilots in the Quebec District? Did you decide  
25 about that matter yourself or was that decided upon  
26 by the Central Authority?

27 A. Well often times the Pilots' Committee  
28 would come to see me and we placed ourselves on the  
29 number or the frequency of pilotage during that season.  
30 Whenever there was a forecast of a possible increase





1 in costs, we made a request to the Department asking them  
2 to have 2 or 3 additional pilots on account of the  
3 traffic on the river at the time.

4 Q. Mr. Hamel I understand that in 1960, which  
5 is one year before your retirement, there were a few  
6 major events that occurred in your Quebec District.

7 In the first place, I think that the pilotage  
8 station was moved from Father Point to Escoumains?

9 A. Yes.

10 Q. Did you take part in the discussions or  
11 the different arrangements that had to be taken to that  
12 effect?

13 A. To that effect I went with Captain Slocombe  
14 to Escoumains, with the President Mr. Brochu, who was  
15 President of the Pilots for the Quebec District and we  
16 went to do some soundings, and everything else and  
17 after that the question of moving the station was decided  
18 upon by both the Committee and the Department of Trans-  
19 port. I had nothing to do with it.

20 Q. In general could you be in a position to  
21 tell me what was the reaction of the pilots of your  
22 District to that change?

23 A. I think that the majority of them were  
24 in favour of having the station in Escoumains. A few  
25 were against it. One pilot who lived in Father Point  
26 resigned when he saw that the station was moved but  
27 I think that the young pilots were in favour of  
28 Escoumains.

29 Q. But you did not take any official part in  
30 that moving or the arrangements that were made in order







1 to bring this change about?

2 A. No.

3 Q. The other event that took place in the  
4 course of that year I think was the creation of the  
5 Corporation of the Lower St. Lawrence Pilots. Are you  
6 aware of that?

7 A. Yes, but I had nothing to do with it.

8 Q. Now you talked to us of meetings held by  
9 pilots or general meetings held by pilots, in order to  
10 use your own expression. Were there any general assemblies  
11 or meetings of the pilots in your own district before  
12 the creation of this corporation of pilots before 1960?

13 A. Well in Montreal there was a meeting  
14 held in Montreal, general meeting in Montreal during  
15 the navigation season.

16 Q. What navigation season are you talking  
17 about?

18 A. Before 1960.

19 Q. But the pilots of the Quebec District  
20 had not taken part in it then?

21 A. I don't think so. If I remember correctly.

22 Q. So is it true to say before 1960 there  
23 had not been any general meeting of pilots to which the  
24 pilots of the Quebec District had taken part during  
25 the navigation season?

26 A. No. No, there were none held.

27 Q. You know what I mean by general meeting?

28 A. Yes, I understand.

29 MR. LALONDE: I think, Your lordship,  
30 just for the record we should clarify what has been raised







by Mr. Brisset concerning the disciplinary measures in the District of Quebec. I think that my learned friend has declared after examining Article 23 that the Supervisor in Quebec, since the regulation of 1957 has no jurisdiction to impose disciplinary sanctions but Article 21, Paragraph 2 of the Quebec Regulations says every pilot or apprentice who is found by the Authority to have violated this by-law is liable (a) to a penalty not exceeding two hundred dollars and (b) to have his licence suspended or cancelled.

(2) Every pilot or apprentice who is found by the Superintendent to have violated this by-law is liable to a penalty of forty dollars.

(3) Where a breach of this by-law is alleged to have been committed the pilot or apprentice accused of committing the breach shall be permitted to present his defence either personally before the Superintendent or in writing to the Authority.

(4) A penalty imposed on the pilot under the Section to be recovered by deduction of his earnings or on suspension of his licence until the penalty is paid.

I think that my colleague will agree with me to accept the interpretation to the effect that in the Quebec District at least the Superintendent still has the authority to fine up to \$40.00.

THE CHAIRMAN: I think that the witness said yesterday that for 2 years we did not have this authority any more so there is something which is not clear in this testimony.

MR. LALONDE: He said since a few years he





1 did not have any more the authority to impose a fine.

2 THE CHAIRMAN: That is what he said yes-  
3 terday.

4 MR. LALONDE: Well your Lordship in the  
5 District of Montreal there has been, I think the last year  
6 or the preceding year a revision of the by-laws for  
7 the District of Montreal and the pilots have been informed  
8 that the Department after adopting the Federal Civil  
9 Rights Bill, there was some doubt as to the authority  
10 of the Minister to delegate his own authority to other  
11 people to impose the disciplinary measures and to consider  
12 such jurisdiction it was better to keep the entire  
13 authority within the hands of the Pilotage Authority  
14 and at Montreal this pertained only to the Pilotage  
15 Authority, this installation which has been transmitted  
16 to us.

17 Now a draft of the revision was prepared for  
18 the Quebec District. It has never been applied and the  
19 conclusion is that the 1957 regulations are still to  
20 be applied in the Quebec District. As far as I am  
21 concerned the regulations are very clear.

22 THE CHAIRMAN: You are right, this is  
23 the precedent therefore I would ask the witness to  
24 clarify his testimony of yesterday when he said since  
25 a few years he does not have this authority any more.

26  
27 CROSS-EXAMINATION BY MR. BRISSET:

28 Q. Mr. Hamel if I understood you properly  
29 yesterday you told us that you did not have any more  
30 the authority to impose such a fine or disciplinary measures.







1 Of course, if I understood properly since let us say  
2 three or four years before you took your pension; during  
3 that period, as a matter of fact, did you exercise this  
4 right whether you had it or not?

5 A. Yes, I did.

6 Q. Until what year?

7 A. I would have to find my book on pilots  
8 to whom I imposed a fine to tell you the exact date.

9 Q. In 1960, to be more exact, did you exercise  
10 that authority?

11 A. Well in 1960 I left in April so I didn't  
12 have time to get mad at anybody.

13 Q. I understood that you --

14 A. Oh I left in April 1961, you are right.  
15 It may happen that I fined some \$40.00 during the year  
16 1960.

17 Q. Are you sure?

18 A. I am not sure whether this happened.  
19 I couldn't tell you. I was easy on the \$40.00. When things  
20 didn't go properly, \$40.00.

21

22 CROSS EXAMINATION BY MR. LALONDE:

23 Q. Mr. Hamel, according to your knowledge  
24 can you confirm after 1957 you have fined the \$40.00?

25 A. Oh, yes.

26 Q. You are sure that you have fined pilots  
27 between 1957 and 1960?

28 A. Yes, at least once.

29 Q. You told us yesterday that after a certain  
30 time you didn't have the authority any more of imposing





French such fines?

2 A. Yes, I said that yesterday.

3 Q. Can you tell us why you were under the  
4 impression that you didn't have this authority any more?

5 A. This had to do with the pilots -- I don't  
6 recall the article -- I didn't fine. I was submitting cases  
7 to the Department of Transport and the Department of  
8 Transport -if I made a recommendation I fined \$40.00 and  
9 they increased it by another \$60.00 to make a fine of  
10 \$100.00.

11 They advised that I should proceed with the  
12 fine.

13 THE CHAIRMAN: Starting from what time  
14 did you stop imposing the fine yourself as you had  
15 before?

16 THE WITNESS: It was with the authority  
17 of pilotage in Montreal because I was also in the juris-  
18 diction of the Montreal Superintendent.

19 THE CHAIRMAN: Did this take place on  
20 occasions?

21 A. Yes, this could happen.

22 MR. LALONDE: Would you have received  
23 instructions, Mr. Hamel, to the effect of transmitting  
24 of decisions concerning fines to the Superintendent  
25 in Montreal?

26 A. Yes, this was done.

27 Q. So at a given time you received orders  
28 to the effect that before a fine became final your  
29 decision had to be referred to Montreal or Ottawa?

30 A. I had to submit that to the Montreal





French Superintendent because if I went over his head he wasn't  
2 aware of the situation and if I went directly to the  
3 Department of Transport and they called him he wouldn't  
4 know what it was all about.

5 Q. The Regional Superintendent in Montreal.  
6 Even if you decided to fine the pilot \$40.00 before you  
7 collected the \$40.00 you had to send your decision to  
8 Montreal?

9 A. Sometimes I was imposing a fine, I was  
10 asking for the \$40.00 right away, take the \$40.00 in front  
11 of me and submit this to the Superintendent and to  
12 Ottawa and if my decision wasn't approved I gave the  
13 \$40.00 back to the pilot. When the fine was approved  
14 the \$40.00 was given to the Pilots' Association, the  
15 pension fund. It doesn't go to the Department. We had  
16 to advise the Pilots' Committee that Mr. so and so had  
17 been fined \$40.00 and that amount would be given to the  
18 Pilots' Association.

19 Q. You mentioned there was at least 150  
20 names on the apprenticeship list. You also mentioned  
21 yesterday that it was possible that the candidate would  
22 be the same person jointly on both lists.

23 A. Yes. I was against this for some time.  
24 Once I didn't approve this the Department advised me  
25 that I had to accept his request for both districts.

26 Q. If I remember correctly someone could  
27 put his name on the list as soon as he was 16 years old?

28 A. Yes, 16 years old.

29 Q. As soon as he reached 16 years old any-  
30 body could have his name put on the list?







French A. If he could see and hear properly and if  
2 he could take dictation in French and English I accepted  
3 him.

4 Q. You accepted him. It was up to this  
5 candidate afterwards to decide whether he wanted to  
6 follow maritime navigation training?

7 A. Yes. I didn't bother about him except  
8 when apprentices were asked for I called him and tried  
9 to see if he had the proper qualifications.

10 Q. So on the list you had all sorts of  
11 persons, someone could even not be able to -- someone  
12 could have never been aboard a ship and be on that list?

13 A. Oh yes, this could happen.

14 Q. Is it true that the only thing to do  
15 is to give the qualifications that you have mentioned  
16 and give one name and address?

17 A. Oh yes. All I have is the name, the  
18 address, the date of his registration and the date of  
19 his birth.

20 Q. Afterwards if the person on the list  
21 decided to go to sea are you informed of this?

22 A. Yes. He has to inform me that he went  
23 to sea, but usually these people are 16 or 17 years old,  
24 they were just following a course up to 18 or 19 years  
25 and they were looking for a position to qualify for  
26 a certificate and go at sea afterwards.

27 Q. Every year did you have cases of persons  
28 who had reached 30 years old and who had left their name  
29 on the list had no training whatsoever?

30 A. Oh yes, we had all sorts of people who





French 1 had their name on the list because they heard about it,  
2 they can make money, some money, so we will just give  
3 our name.

4 MR. LALONDE: Thank you.

5  
6 RE EXAMINATION BY MR. JACQUES:

7 Q. Those people who were putting their names  
8 on the list of apprentices, were they not supposed to  
9 report any change of address to you, if I remember properly?

10 A. Yes, they used to advise me.

11 Q. This is one of the conditions?

12 A. Yes.

13 Q. For the candidate to become an apprentice,  
14 if my memory serves me right, if he went to sea he had  
15 to let you know which ship?

16 A. Yes. When he came back he would give me -  
17 he would say he went to sea for one year and two months,  
18 two years and he went to such and such a place. This  
19 was recorded in my books and with the apprentice on the  
20 list.

21 Q. When he got his certificate he advised you?

22 A. I was taking the name, number of the cer-  
23 tificate, date of issue and so forth.

24 Q. Do you remember if there was any kind of penalt  
25 for anyone who didn't follow the requirements?

26 A. As a candidate to become an apprentice  
27 you mean?

28 No, but when they came back I said you  
29 should have given me such and such a thing, but there was  
30 no penalty.







French 1

Q. You don't remember taking names out of the list because they didn't follow such requirements, because, for instance, they didn't tell you they had a certificate or that they had been for such a period to sea and so forth?

A. No, I don't think so.

MR. JACQUES: Thank you, sir.

RE-CROSS EXAMINATION BY MR. LALONDE:

Q. Mr. Hamel, you mentioned yesterday, I think, that apprentices in the past received an indemnity on the vessels, they would receive an indemnity from the ship owners when they went aboard to be pilots.

Is it not true that before the last War, before 1940 the apprentices didn't receive anything?

A. No, nothing at all.

Q. They just started only during the war?

A. I can't tell you the date exactly.

Q. Was it during the War or after the War, approximately?

A. I can't tell you.

Q. Before the War he was earning nothing.

A. There was a time clerk apprentices were working for nothing. This went on for quite a long time.

Q. When you became a Superintendent in 1936 were they paid already at that time?

A. Well, it is quite difficult for me to tell you the date, the year, but I know that afterwards they have been paid, but I can't tell you the date. I can't tell you the year.





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1 MR. JACQUES: Are there candidates who  
2 became apprentice who had been on the list for 8 or 10  
3 years?

4 THE WITNESS: Yes, this took place.

5 MR. JACQUES: Would there have been several  
6 in this situation?

7 THE WITNESS: Oh, there were some. There  
8 was one candidate had been there, received as a pilot --  
9 he said I was 15 years as an apprentice and my licence  
10 cost me \$15.00. I said that is not bad.

11 MR. JACQUES: Thank you. Mr. Colquhoun.

English

12  
13 J. H. COLQUHOUN, sworn

14 DIRECT EXAMINATION BY MR. JACQUES:

15 Q. Would you state your full name and age?

16 A. My full name is J. H. Colquhoun.

17 Q. Would you spell it?

18 A. C-o-l-q-u-h-o-u-n.

19 Q. And your occupation?

20 A. Manager of the Cunard Steamship Company,  
21 Quebec.

22 Q. In Quebec?

23 A. Yes.

24 Q. How long have you been manager?

25 A. I have been manager for four years.

26 Q. Four years. Prior to that what was your  
27 occupation?

28 A. Assistant Manager.

29 Q. Here in Quebec?

30 A. Here in Quebec.





English 1

Q. For how many years?

2 A. From 1940 -- Assistant Manager for a period  
3 of approximately 8 years.

4 Q. Sir, I am instructed that some of the  
5 pilots of the Montreal District, when they dock ships  
6 down river from Montreal to Quebec, when these ships  
7 are supposed to dock inside St. Charles River Basin that  
8 sometimes some of these pilots refuse to take ships in in  
9 flood tide?

10 A. That is correct.

11 Q. That is correct, with the result that  
12 the Quebec Pilot, a pilot of the Quebec District, has  
13 to be ordered to board the ship and then dock the ship  
14 inside the St. Charles River?

15 A. That is correct. That is not on all  
16 occasions, of course.

17 Q. Are you able to say that this is a fre-  
18 quent occurrence?

19 A. I understand from other members of the  
20 Quebec Steamship Committee, who I have talked to on this  
21 matter that they have had several instances of this. We  
22 ourselves have never been confronted with it.

23 Q. You yourself haven't been confronted with  
24 that?

25 A. Not as far as the St. Charles River is  
26 concerned.

27 Q. Have you had any other similar instances  
28 elsewhere in the Harbour of Quebec?

29 A. Not insofar as -- we have two berths --  
30 which involve a starboard docking to. These sheds are







nglish 1 25 and 26 and invariably pilots, either from up river or  
2 down river, will wait for a suitable time on flood tide  
3 for starboard side to. Before they used to dock port  
4 side to.

5 Q. Were you in Quebec when the practices  
6 were changed?

7 A. Yes.

8 Q. Would you recall the reason why the practice  
9 was changed?

10 A. There are many reasons, possibly, for  
11 this, and I would assume that prior to the present re-  
12 pairs to these sheds, sheds 25 and 26 were on a  
13 continuous breakwater, continuous sea wall, and the  
14 task of docking port side to would probably have been  
15 easier. It has always been my understanding the tidal  
16 conditions of these two sheds have always made port side  
17 docking difficult.

18 Q. Sir, coming back to the St. Charles  
19 River Problem, are you aware of any member of your  
20 Committee having refused to pay a fee to the Quebec  
21 pilots?

22 A. Not that I am aware of.

23 MR. JACQUES: Not that you are aware of.  
24 Thank you.

25

26 CROSS-EXAMINATION BY MR. LALONDE:

27 Q. I understand that the main reason for  
28 the change in practice would be due to the changes  
29 which have been made at various docks in that area;  
30 is that the case?





English 1

A. Only as applicable to sheds 26 and 26.

2 Q. That is where you refer to this change  
3 in practice by pilots?

4 A. That is inasfar as docking, that isn't  
5 employing an additional pilot. If the tide is not suitable  
6 for docking the ship we can anchor and then it would be  
7 necessary to have a pilot when the tide was suitable.

8 Q Did you discuss this matter with the  
9 pilots?

10 A. Talked to the pilots in regard to the docking  
11 in these particular berths and the pilots feel in their  
12 minds that these are two difficult berths to dock at  
13 on flood tide and represents danger to the ship and  
14 possibly to the installations.

15 Q. As far as you are concerned do you find  
16 that their expectations in that respect are reasonable?

17 A. I am not a technical man or sufficiently  
18 conversant in the docking of ships. I would hesitate  
19 to comment on that.

20  
21 CROSS-EXAMINATION BY MR. BRISSET:

22 Q. Mr. Colquhoun, you have spoken of the  
23 Steamship Committee. Will you tell us what this  
24 Committee is, what it is made up of and what is your  
25 function on that Committee?

26 A. The Steamship Committee in Quebec is  
27 made up of the heads of various steamship organizations  
28 in Quebec representing many of the Montreal companies.  
29 They are made up of the C.P.R., Cunard, Ramsey Greig,  
30 Canadian Import, all our steamship people. My function







English 1 on this Committee is as Chairman.

2 Q. How long have you been Chairman of this  
3 Committee?

4 A. Approximately 4 years.

5 Q. Now, you mentioned that your particular  
6 company, Cunard Steamship didn't dock ships going to the  
7 St. Charles River Estuary.

8 A. We have ships going to the St. Charles River  
9 Estuary docks, but we as yet haven't been confronted  
10 with a ship not docking and insisting on a change of  
11 pilot at Quebec to dock the ship. These are the two St.  
12 Charles River Estuary berths.

13 Q. Have you had some problems in connection  
14 with Sections 25 and 26?

15 A. Yes, we have had difficulty at 25 and  
16 26 when ships have been delayed on occasion and gone  
17 to anchor to wait for the suitable tide.

18 Q. Let us go back to a ship coming down with a Mo  
19 real pilot on ebb tide, what has been your experience  
20 in a case like this, that has been going to berth at  
21 Sections 25 and 26?

22 A. At 25 and 26 on falling tide these pilots  
23 would dock the ship.

24 Q. Let us assume that the tide -- what side  
25 would they be docking on?

26 A. It would be a starboard docking, starboard  
27 side to 25 and 26. This is on a falling tide.

28 Q. On a flood tide what will happen?

29 A. The flood tide they would probably go to  
30 anchor and wait for the falling tide.





English 1

Q. You say they would probably go?

A. They will invariably go back. It is always difficult.

Q. Since when has this happened? I think you mentioned it wasn't always like this. Can you give us a date or a year or something?

A. I would say it has been since the dispersing of the special pilots this has become more prevalent.

Q. I understand the special pilots were dispensed with in 1960; is that correct?

A. I believe so, yes.

Q. When you have special pilots, am I right in understanding that the pilots, in circumstances like those I have described docked the ship whether the tide was ebb or flood?

A. Our pilots did dock on the flood and ebb tide at these particular berths. I could quote an instance of this, one of our largest ships the Ivernina many years ago docked to 25 on port side to with a special pilot on board.

Q. Was she on her way down river?

A. On her way up river, stopped at Quebec for immigration and we used shed 26 for that. I said 25. It was 26. She made her swing and came on the rising tide, port side to. This was a special pilot on board.

Q. Are you aware that since 1960 when the regime of the special pilot, I understand, was abolished, there have been any structural changes in the berths?

A. Yes, particularly at 25 and 26.

Q. What is this structural change?







English1

A. Prior to that time, of course, we at one

time had shed 18, which was an old wooden shed which  
has been replaced by modern tower, grain tower and  
concrete breakwater, and for some time this represented  
some type of hazard insofar as making port side docking  
on sheds 25 and 26 as there was a break in the seawall.  
Shed 18 extended out into the river, parallel to the  
river while sheds 25 and 26 are recessed from this  
pier which created a jag. After this, of course, shed  
26, there was a structural change to the wall one winter  
and this has been completely replaced and is now contiguous  
with the seawall at 18. The same thing is supposed  
to be continued with shed 25 but it isn't accomplished  
yet so you have a similar jag between 25 and 26 which  
had existed prior between 18 and 26.

Q. Did all these changes take place after 1960  
or not? I am not too clear from your explanation.

A. As far as shed 18 is concerned that was  
commenced before 1960. And so far as shed 26 was con-  
cerned that was completed last year.

MR. LANGLOIS: My lord, in this respect  
I would suggest that since we have the engineer from  
the National Harbours Board in this room that he should  
be a competent witness to testify as to when these works  
were carried on.

THE CHAIRMAN: I think the witness is also  
living here at the present time and he may say what he  
wants, what he knows, and if anybody feels that this  
information is not correct, well, the other witness is  
here and they may be called to complete the evidence.







English 1

MR. BRISSET: Now, Mr. Colquhoun, when your

ships dock at Sections 25 and 26 are tugs being used?

A Yes.

Q. All the time?

A. At all times.

Q. One or two or more?

A. Two, usually.

Q. When you say at all times do you mean where the tide is flooding or ebbing, whatever state the tide is in?

A. That is right, with the exception of very small lakers which may occasionally call here which in many cases are chartered tonnage and sometimes they will dispense with tug services.

Q. And also dispense with pilot services?

A. No, no.

Q. Now, apart from Sections 25 and 26 in the breakwater and the berths in the St. Charles River Estuary, are there any other places or berths in the Harbour of Quebec in respect of which problems have arisen in connection with berthing by pilots?

A. No, not insofar as I know. The only difficulties that exist with our ships are 25 and 26 and on occasion in the St. Charles River Estuary.

MR. BRISSET: Thank you.

RE-EXAMINATION BY MR. JACQUES:

Q. Mr. Colquhoun, this change in the policy of the pilots for docking of ships at Sheds 25 and 26, you said that occurred when the special pilots were done





English 1 away with and replaced by pilots of various classes,  
2 A.B. and C.

3 A. Insofar as our own experience is concerned.

4 Q. I am always referring to your experience  
5 with Cunard Lines, not as the Steamship Committee.

6 The pilots which you now employ on your ships, are they  
7 Class A or B?

8 A. Insofar as the passenger ships are con-  
9 cerned they are Class A.

10 Q. Class A. Does it happen sometimes that  
11 you now have a pilot, a man who was your special pilot?

12 A. Yes.

13 Q. When this man is in charge of your ship  
14 does he refuse to dock the ship port side to on sheds  
15 25 and 26?

16 A. They don't refuse but they advise the  
17 Master of the Ship that starboard docking is preferable.

18 Q. To the best of your recollection do you  
19 know if any of your Masters insisted on a port side  
20 docking even though the pilots have advised a starboard  
21 side docking?

22 A. I have no knowledge of our captains re-  
23 fusing to take the pilots advice in respect to Sheds  
24 25 and 26.

25 Q. You said that you discussed this matter  
26 with pilots, privately, not officially?

27 A. This isn't official. I have talked to  
28 various pilots on this.

29 Q. Were these pilots your previous special  
30 pilots?







English

1 A. No, actually they weren't.

2 Q. They weren't. Did these pilots give you

3 any reason why they preferred not to dock port side to?

4 A. The belief is by them, and they should be

5 in a position to know, that tidal conditions setting on

6 those two wharves are of such a variety at various

7 stages of the tide they are never quite certain what

8 the tide will be when they come port side to and therefore

9 they know they are safe starboard side to.

10 Q. Was it pointed out to them that until

11 quite recently ships docked port side to?

12 A. I may have mentioned this to them in the

13 course of my conversation with them.

14 Q. Would you recall if they replied?

15 A. Well some of them told me it may possibly

16 have existed in the past, but it was a dangerous

17 practice and should be abolished and they were abolishing

18 it.

19 Q. Now, what is the practical effect of this

20 ruling by the pilots on the operation of your company's

21 ships?

22 A. If the tide is unfavourable for starboard

23 side docking it means a delay to the following tide.

24 Q. How long is that?

25 A. Approximately 7 hours.

26 Q. Seven hours, yes.

27 MR. LALONDE: The Commission Counsel is

28 referring to a ruling by the pilots?

29 THE CHAIRMAN: Yes, I have noticed that

30 and there is nothing in the records to the effect that





English1 there is a ruling. It is an attitude taken by certain  
2 pilots. That is all we know so far.

3 MR. LALONDE: Yes, thank you.

4 MR. JACQUES: Moneywise what does this  
5 represent for your company?

6 A Loss of time to the ship which is docking.

7 Q Could you advise a figure on the number  
8 of dollars?

9 A Depending on the size of the ship. We  
10 estimate a modern ship, modern cargo ship to-day is  
11 worth in the neighbourhood of anywhere from \$1,000.00  
12 to \$2,000.00 a day in loss of time, so on a pro rate  
13 basis you could more or less estimate your loss.

14 Q. Now, does it happen that because of that  
15 some of your ships don't stop in Quebec?

16 A. On the odd occasion this could happen only  
17 because the ship is needed in a hurry, say in Montreal or  
18 some other port but this is odd, this is not normal that  
19 we bypassed the Port of Quebec because of this particular  
20 reason.

21 Q Because of this particular reason?

22 A Not normal, anyway.

23 Q. Thank you sir.

24  
25 CROSS-EXAMINATION BY MR. LANGLOIS:

26 Q. Mr. Colquhoun is it not a fact that in  
27 quite a number of cases the E.T.A. of the ship is so  
28 arranged that she would get here with the proper tide  
29 conditions instead of going to anchor?

30 A. No, I wouldn't say that.





English 1

Q If the ship does not go to anchor and the E T A is changed, you are not called upon to pay for an additional movage. Is that not a fact?

A I just don't understand.

Q If the ship does not go to anchor, to wait for favourable tide conditions to go alongside, you are not then called upon to pay for movage?

A There is no movage involved.

Q And you are quite definite in your answer that it does not occur that the E T A will be arranged to get the ship here with the favourable tide conditions?

A No. It may occur with other companies, and could occur. It is within the realm of possibility that this is done by other companies.

Q But your -- in other words, an E.T.A. could be so arranged to bring the ship here at a certain time to take advantage, or not to lose time in the river until the tide is suitable but it is not known to your knowledge that it has been so arranged in the past?

A No. We have had ships go down river to anchor.

CROSS-EXAMINATION BY MR. LALONDE:

Q Mr. Colquhoun could you recall a single instance in your own company where the ship has not stopped at Quebec because of the fact that the ship could not dock in at dockside at Shed 25 or Shed 26?

A Not as far as we are concerned.

Q Not a single instance?

A Not a single instance as far as we are







English concerned.

2 THE CHAIRMAN: Would you tell me sir  
3 whether this occurs only with westbound ships or east-  
4 bound ships?

5 THE WITNESS: Both east and westbound.

6 THE CHAIRMAN: Meaning coming down from  
7 Montreal or going up river?

8 THE WITNESS: The same conditions apply.

French  
9 My name is Yves Poisson. I represent  
10 here the Office of the Chamber of Commerce of Metropolitan  
11 Quebec as well as the Council of the Quebec Harbour.

12 The first organization I spoke about, I  
13 talked about it in detail at the opening session which  
14 the Commission held in Ottawa in December last and so  
15 far as the Quebec Harbour Council is concerned, it is a  
16 more or less a more widespread committee than an ordinary  
17 one which falls within the jurisdiction of the Quebec  
18 Chamber of Commerce.

19 I am authorized here to represent both organiza-  
20 tions which have only one aim: that is to protect the

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1 interests of the Quebec Harbour. We are not specialists  
2 in the field of navigation nor are we operators of any  
3 type in the field of transportation.

4 We represent, rather, the population and the  
5 organizations supporting the association I am a member  
6 of, as well as the Quebec Harbour Council.

7 We are happy to contribute, if possible or  
8 maybe the odd contribution to the knowledge that  
9 the Commission may require. As far as our own viewpoint  
10 is concerned, it is independent, as I can assure you  
11 it is. We have no prejudice whatsoever against the  
12 group represented here. The only thing we want is to  
13 shed light on these different problems in order to be  
14 assured that the general interests of the harbour are  
15 well protected and it is in this spirit that I would  
16 like to ask a few questions of Mr. Colquhoun

17 THE CHAIRMAN: Go right ahead.

18 Q. Monsieur Colquhoun, êtes-vous au courant  
19 de la proposition que les pilotes ont faite à la Commission pour  
20 remédier aux inconvénients des accostages dans le Port de Québec -  
21 les inconvénient dont vous avez parlé tout à l'heure.

22 Q. Are you aware of a proposal that the  
23 pilots have made to the Commission in order to remedy  
24 the inconvenience of docking in the Quebec Harbour,  
25 the inconvenience such as you have mentioned before-  
26 hand?

27 A. No, I was not aware of that.

28 Q. Je crois comprendre, d'après le mémoire que  
29 l'Association des pilotes a présenté, qu'on recommande l'engagement  
30 de pilotes d'accostage, qui seraient, si je comprends bien,







spécifiquement désignés pour faire accoster les navires dans le Port de Québec. Cette recommandation, qui apparaît à la page 228 du mémoire, porte le numéro 4, et se lit comme suit: Qu'il y ait changement de pilotes pour faire l'accostage dans le Port de Québec de tout navire remontant le Fleuve St-Laurent, et aller à quai dans ce Port, et que des droits de pilotage appropriés soient chargés à cet égard". Quel serait l'effet des nouveaux droits de pilotage, d'après vous, qui s'ajouteraient évidemment à ceux que les compagnies de navigation sont déjà appelées à payer?

Q. In fact, I understand according to the brief that has been submitted by the Pilots' Association that it is recommended therein to hire the docking pilots who would be specially designed to dock ships in the Quebec Harbour. This recommendation, which is shown on Page 228 of the Brief is recommendation No. 4 and it reads as follows:

"That there be a changeover of pilot for the docking in the Quebec Harbour for all ships going upstream on the St. Lawrence River and docking in that Harbour and that appropriate pilotage dues be asked in that respect."

What would be the effect of these additional pilotage dues, according to you, which would be added naturally to that which the ship companies already have to pay?

A. I would assume that if docking pilots were employed, it would mean more expense to the shipping companies. Whilst I can see that docking pilots may become more familiar with the wharf and obviate the problem, I would think that this can only be gained by additional





1 expense, something we are trying to avoid and I also feel  
2 that pilots who for many many years were successfully  
3 able to dock at any wharf at Quebec at any state of the  
4 tide, these were old time pilots, I cannot see why under  
5 present conditions, with modern aids to navigation,  
6 with better facilities, it cannot be done by our present-  
7 day pilots.

8 Therefore, for this reason alone I feel this is,  
9 I think, an additional expense imposed upon the Steamship  
10 lines.

11 Q. Et des frais additionnels imposés dans un  
12 cas comme celui de Québec qui, il ne faut pas oublier, est un  
13 port d'escale, et non un port terminus, peuvent-ils avoir des  
14 conséquences plus graves que s'il s'agissait d'un port terminus?  
15 En somme, est-ce que les compagnies qui viennent à Québec,  
16 dont les navires arrêtent à Québec, pourraient, sans donner  
17 des précisions mathématiques là-dessus, être de moins en moins  
18 encouragées, en somme, à arrêter à Québec, à mesure que les  
19 frais, non pas seulement les frais de pilotage, mais ceux-là  
20 comme d'autres frais, augmenteraient?

21 Q. And the additional dues imposed in the  
22 harbour such as that of Quebec, which we must not forget  
23 is kind of a stopping harbour, and not a terminal harbour,  
24 would that have a more serious consequence than if it  
25 was a terminal harbour? In other words, would your ships  
26 stopping at Quebec -- naturally I could not give  
27 technical decisions about that - could they be less and  
28 less encouraged to stop in Quebec as the pilot costs,  
29 as well as others, would increase?

30 A. At the present time the Steamship business  
is more or less in a depressed state. We ourselves forego







1 calling at Quebec for various cargoes because of cost and  
2 lower rates. We have difficulty convincing our principals  
3 to stop at Quebec for cargoes. If there is an additional  
4 cost, this will work to the hardship of Quebec. It  
5 will be a worse situation than what exists at the present  
6 time. Therefore, I think it would be prejudicial against  
7 the interest of Quebec itself if docking pilots were  
8 employed and additional expenses are put upon the ship owners.

9 Q. D'après votre expérience, est-ce que vous  
10 croyez qu'il existerait d'autres moyens d'obvier aux inconvénients  
11 actuels que l'engagement des pilotes spéciaux pour les accostages  
12 à Québec?

13 Q. According to your own experience, do you  
14 think there would be other possible means to obviate  
15 the actual inconvenience aside from the hiring of  
16 special pilots for docking at Quebec?

17 A. Would you please repeat that question?

18 Q. Est-ce que vous croyez, d'après votre  
19 expérience, qu'il existerait d'autres moyens d'obvier aux incon-  
20 vénients actuels que celui d'engager des pilotes spéciaux pour les  
accostages?

21 Q. Do you think, according to your own  
22 personal experience, that there would be other possible  
23 means of avoiding the actual present-day inconvenience  
24 aside from the one of hiring special pilots for docking?<sup>2</sup>

25 THE CHAIRMAN: When you are talking  
26 about special pilots, do you mean the new system advocated,  
27 that is to have a pilot or do you mean the older  
28 system of special pilots that was in existence up to  
29 a few years ago?

30 I would like to clarify this terminology.







1 MR. POISSON: In reading the text of the  
2 Brief, personally I did not understand the intent, or  
3 rather the nature of the additional services asked for.  
4 I wonder if you would like to establish pilotage zones  
5 for the Quebec Harbour or if we would want some pilots  
6 who would be special pilots for docking, there being  
7 questions of special zones and --

8 THE CHAIRMAN: According to your question,  
9 what you are asking the witness is that you are referring  
10 to the new system which is being advocated?

11 MR. POISSON: Yes. So that the question  
12 I was asking was the following one:

13 Q. Alors, la question que je posais est celle-ci:  
14 Est-ce qu'il y a d'autres moyens, à votre connaissance, d'obvier  
15 aux inconvénients actuels que celui d'établir un nouveau service  
16 de pilotage pour accostage dans le Port? Je pense que cette  
17 expression-là que j'emploie maintenant est plus claire?

18 Q. Do you think that according to your own  
19 knowledge there are other possible means of avoiding the  
20 present-day inconvenience aside from the one of establish-  
21 ing new pilotage service for docking in the port? I  
22 think that it is clear that way.

23 A. I can only go back to what I said previous-  
24 ly that if the old-time pilots were successfully able  
25 to stop at Quebec at any stage of the tide, then the  
26 knowledge they possessed at that time was sufficient for them  
27 surely to-day the knowledge that our modern day pilot  
28 possesses is more than sufficient to accomplish the task  
29 that his predecessor did.

30 Thank you.





English1 CROSS-EXAMINATION BY MR. JACQUES:

2 Q. Without asking you for a definite opinion,  
3 would the Committee in Quebec consider returning to the  
4 system of special pilots as it existed some years ago?

5 A. From a Steamship Committee point of view,  
6 I believe it was shared by the majority of steamship  
7 companies, special pilots represented to us a superior  
8 method than what exists to-day.

9 This was primarily due to the fact that special pilots  
10 become familiar with ships of the company they were  
11 working for. It wasn't a new ship that they met every  
12 time, or a new ship they docked every time. They knew  
13 what this ship would do and this is why the steamship  
14 companies hired them because they acquired the knowledge  
15 of the specific ships of these companies. They knew  
16 these ships.

17 Q. Thank you sir.

18

19 CROSS-EXAMINATION BY MR. LALONDE:

20 Q. When was the matter of special pilots  
21 last discussed at your Shipping Committee Mr. Colquhoun?

22 A. I don't think we have discussed it ever  
23 since it was dispensed with.

24 Q. Did you discuss it at the time it was  
25 dispensed with?

26 A. The representation of the Steamship Companies  
27 Committee made through the Shipping Federation of Canada --  
28 my principals, of course, were interested in this and  
29 their views were such --

30 Q. If I understand you correctly, you had







English 1 not discussed this matter here in Quebec with the Shipping  
2 Committee even when it was dispensed with? The views  
3 you are expressing now, you are basing them only on what  
4 is it, assumption or presumptions?

5 A. Well you could say presumptions and also  
6 experience.

7 Q. Experience of what?

8 A. Experience of 30 years in the shipping  
9 business.

10 Q. You said that in your opinion the majority  
11 of the ship agents in Quebec would be favourable and  
12 that the special pilots were superior?

13 A. I believe that is their view. In fact,  
14 I am sure it is their view.

15 Q. How can you be sure?

16 A. Whilst I have not had any Committee Meetings,  
17 I have talked with each and every one on a private  
18 basis. I know their feelings.

19 Q. When did you discuss this matter for the  
20 last time?

21 A. I would imagine that it has been a constant  
22 source of conversation ever since it was dispensed with.

23 Q. Very frequently. You never felt, however,  
24 of raising it to the level of your shipping company?

25 A. Well it has been raised before they were  
26 dispensed with but from then on it was in the hands  
27 of the principals whom we represent.

28 Q. And your feeling is, your main argument  
29 is these pilots would get more experience with your  
30 ships?





English 1

A. They would have -- just the same as driving an automobile. If you are driving the same automobile every day, you know it.

Q. I understand that you would have more experience driving an automobile than a ship.

A. Oh I quite agree.

Q. When did you have sea experience for the last time?

A. I have had no sea experience.

Q. You were asked a certain number of questions about docking operations for upcoming ships in Quebec. What is the cost of movage in Quebec?

A. \$20.00.

Q. I understand that you said that the delays to a ship would cost as much as \$1,000 or \$2,000 a day?

A. Depending on the work, on the ship day. This would depend on its tonnage.

Q. Have you had any experience on ships coming up the river having to wait for some hours before docking at Quebec because the pilots on board were not in a position to assess what the exact situation was in the harbour, for instance at that time?

A. Yes, we have had that experience.

Q. You have had that experience of ships waiting for several hours?

A. I have had a ship this spring, a ship called the Leatitia. It was bound for shed 25. Its E.T.A. indicated that it was on the edge of the tide, you might say, it was close as to whether or not it could make a stab at side docking or having to wait. We







English indicated to the ship we would like to work on it before  
2 a certain time. Make an E.T.A. in order that we could  
3 start work.

4 Unfortunately, the message that we sent to the  
5 ship did not get there in time. The ship had closed  
6 down. The ship went to anchor on the advice of the pilot.  
7 We were unable to cancel the gangs to do the work so  
8 the result was we paid them 2 hours waiting time for 4  
9 gangs. This is an expensive proposition.

10 Q. That can be very expensive.

11 A It was Sunday, and it was well in the  
12 neighbourhood of eight hundred odd dollars.

13 Q. Only for the gangs?

14 A Only for the gangs. No work whatsoever.

15 Q. And then you charged them because of  
16 the ships waiting? Lost time?

17 A Lost time, that is right.

18 Q. How much time did that ship lose?

19 A. Actually if that ship had got in in the  
20 morning, on that Sunday morning, it would have been dis-  
21 patched on the Sunday afternoon. As a result, we never  
22 finished that Sunday. Went to Monday. Instead of the  
23 ship presenting itself to Montreal Tuesday morning, it  
24 didn't get there until Wednesday morning. In fact it  
25 lost 24 hours.

26 Q And this would go up to \$2,000?

27 A. \$2,000 for actual lost days.

28 Q. Net loss?

29 A. That is right. That is in addition to  
30 the labour costs that was involved.







lish 1 Q. In addition to the \$800.00 cost you men-  
2 tioned. In a single instance like this, your company  
3 pretty well lost in the form of unearned -- lost time,  
4 and also money for the gangs --

5 A. I would say between \$3,000 and \$4,000.

6 Q. Is it not the case that if there had  
7 been a pilot who would be specially able to dock a  
8 ship in Quebec Harbour, an instance like this the ship  
9 probably could have been docked?

10 A. It could have been in ample time.

11 Q. In a case like this, you lost about \$3,000,  
12 \$4,000 and \$20.00 a movage, that represents close to  
13 200 movages?

14 A. That is quite true, if we are talking of  
15 docking pilots.

16 Q. Thank you very much.

17  
lish 18 CROSS-EXAMINATION BY MR. LANGLOIS:

19 Q. Just to make this quite clear, how come  
20 that you could not get in touch with your ship sooner  
21 in order to get it here by the time you wanted it?

22 A. The ship had been instructed the berths  
23 to go to. We had the ship's E.T.A. We were aware  
24 that it was close to the end of the tide to effect a  
25 starboard docking. Nevertheless, we had so indicated  
26 in our message to the ship. We were not quite certain  
27 so we sent another message to the ship for advice but  
28 the ship's radio had closed down and we were unable to  
29 get through and the ship went to anchor on the strength  
30 of the pilot.





English1

Q. Where was that ship coming from?

A. From Glasgow.

Q. And you got an E.T.A. before she got to  
Escoumains?

A. We always do.

Q. Is that normal for you to get the last  
E.T.A. so far away from Quebec?

A. We get E.T.A.'s from our passenger ships  
three days before they arrive.

Q. The last E.T.A. I mean?

A. The last E.T.A. was before Escoumains and  
an E.T.A. was given when the pilot got on board but it  
wasn't kept.

Q. And you received this E.T.A.?

A. Yes.

Q. And your gangs had been ordered there?

A. On the basis of the E.T.A.

Q. On the basis of the E.T.A. received before  
it got to Escoumains?

A. On the basis of the one that was received  
after passing Escoumains when the pilot came on board.  
There was another E.T.A. received after that. We en-  
deavoured to ascertain from the ship, knowing this  
difficulty could arrive at 25, we asked the ship if it  
could dock in time and this we were unable to get through  
and when the ship came in, it anchored during the night.

Q. How long after you got the E.T.A. that  
you asked for the docking time?

A. We never got the docking time back.

Q. How long did you ask for it?







1 How long was it after you received the E.T.A.?

2 A Very shortly, normally within one or two  
3 hours after we make our arrangements we send it right off  
4 to the ship and tell them what we are trying to do,  
5 ask for the docking time. We actually want the docking  
6 time so we can organize.

7 Q. You have asked for the docking time only  
8 a few hours after you receive an E.T.A.?

9 A. The E.T.A. after passing Escoumains, yes.  
10

11 CROSS-EXAMINATION BY MR. MAHONEY:

12 Q Mr. Colquhoun in the case which Mr. Langlois  
13 put to you as to the benefit of a docking pilot, in the  
14 case which you have mentioned saving the money thereby,  
15 is it not true that if the docking pilot, for express  
16 reasons of safety, also refused to dock the ship on a  
17 falling tide, that you would not have saved this money but  
18 instead you would simply have added the extra fee of  
19 \$20.00?

20 A. Of course if the pilot is bringing the  
21 ship up river, of course he could refuse and say the  
22 conditions for docking are unfavourable even though he  
23 was a docking pilot.

24 Q. Thank you.

25 THE CHAIRMAN: I do not understand why you  
26 could not reach the ship. Was the ship's radio out?

27 THE WITNESS: There was a breakdown of  
28 communication.

29 THE CHAIRMAN: Was it broken down?

30 THE WITNESS: It evidently was broken down.





1 We couldn't get through to the ship and I personally tried  
2 all night. I was on the phone all night with Marconi  
3 but couldn't raise the ship.

4 THE CHAIRMAN: Have you made an inquiry  
5 from the ship?

6 THE WITNESS: I talked to the ship and  
7 they say as far as their radio apparatus is concerned,  
8 it should have been sending and should have got it but  
9 evidently they didn't hear it.

10 THE CHAIRMAN: I am asking that because  
11 yesterday we had evidence to the effect that there were  
12 dead spots in that area.

13 THE WITNESS: I can quite agree there are  
14 dead spots.

15 THE CHAIRMAN: Thank you.

16  
17 CROSS EXAMINATION BY MR. BRISSET:

18 Q. Mr. Colquhoun yesterday during the evidence  
19 given before the Commission we were told by the Assistant  
20 Harbour Master of a system of traffic control that is  
21 planned for the Harbour of Quebec. Are you aware of  
22 the proposed plan regarding this control of traffic?

23 A. I understand, not officially but I under-  
24 stand there are steps by the Harbour Authorities to  
25 instal very high frequency equipment for the purpose of  
26 communication with ships entering, leaving and in the  
27 Harbour, yes.

28 Q. Now have you had this discussion about  
29 this with principals of your Steamship Committee?

30 A. No, I have not.







1 Q. Are you aware if they are also acquainted  
2 with this proposed plan?

3 A. I understand that they are acquainted,  
4 through conversation, with this plan, yes.

5 Q. Is your Steamship Committee in favour of  
6 this proposed traffic control?

7 A. I think it would be a step in the right  
8 direction, yes.

9 Q. When you say "in the right direction,"  
10 would you define what you mean?

11 A. I think it would give it more direct  
12 contact with the ships in and around the harbour and on  
13 short notice, it would help an awful lot.

14 Q. With regard to safety, what have you to say?

15 A. I think in regard to safety it would be  
16 a boon too, I think the Authorities would be in a position  
17 to warn ships of any dangers that are not known to them.  
18 I think it would help very much.

19 Q. Monsieur Colquhoun, un navire met combien  
20 d'heures, en moyenne, des Escoumins à Québec, en montant,  
21 dans les conditions moyennes, disons?

22 Q. Mr. Colquhoun, how long does a ship take,  
23 on the average, to come from Escoumains to Quebec? In  
24 average conditions, how long does it take?

25 A. For passenger ships it usually takes in  
26 the neighbourhood of seven hours. It depends on the speed  
27 of the ship. That can go up as much as ten, eleven, twelve  
28 hours. With modern cargo ships I would assume eight, nine  
29 hours.

30 Q. Dans les règlements de travail, les







1 conventions collectives qui régissent les services des  
2 débardeurs, est-ce qu'il y a des délais prévus dans le  
3 cas d'appels à la main d'oeuvre pour des bateaux qui  
4 doivent arriver à une heure qu'on peut imaginer, qu'on  
5 peut prévoir plus ou moins biend'avance?

6 Q. Are there collective agreements which  
7 cover the working conditions of the longshoremen? Are  
8 there any delays which are provided for in the case where  
9 you call longshoremen to come to work for ships when we  
10 don't know at which time they will come to a dock? Is  
11 there a collective agreement saying how long you must  
12 tell the people before you need them to work?

13 A. We have ordered time, as far as the  
14 passenger ships are concerned, on week days they must give  
15 2 hours notice for any time so we can order gangs, any  
16 time a passenger ship arrives. In as far as freighters  
17 are concerned the hours are 2 hours notice. These are  
18 for 8 o'clock in the morning, 10 o'clock in the morning,  
19 1 o'clock in the afternoon, 3 o'clock in the afternoon,  
20 7 at night, midnight. Midnight calls at 3 hours - calls  
21 on Sundays, for Sunday work you must order on the Saturday  
22 before 7 o'clock at night.

23 Q. C'est justement à ce point-là que je  
24 voulais en arriver: dans le cas d'un bateau qui doit  
25 entrer le dimanche, il faut que vous demandiez la veille  
26 la main d'oeuvre qui va décharger le bateau, qui va  
27 s'occuper en somme de la cargaison.

28 Q. This is what I want to refer to. In the  
29 case of a ship which must enter on Sunday, you must ask  
30 for the longshoremen the day before, on Saturday?





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1           A.       That is right. That is correct. We  
2 would have to order our gangs to work for cargo ships  
3 before 7 o'clock on Saturday night for Sunday work. This  
4 is particularly applicable to the case I discussed of  
5 the Leatitia which I talked about some time ago.

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1 Q. Thank you.

2 THE CHAIRMAN: Any further questions of  
3 the witness? Thank you very much. We are going to take  
4 a recess for a few minutes.  
5 ---short recess.

6 MR. JACQUES: Mr. Brodie.

7  
8 W. E. BRODIE, sworn

9 DIRECT EXAMINATION BY MR. JACQUES:

10 Q. Would you state your full name and age,  
11 please?

12 A. My name is William E. Brodie. And my age  
13 is 66.

14 Q. Your occupation?

15 A. Manager of Ramsey, Greig Company Steamship  
16 Agents.

17 Q. How long have you been in that position?

18 A. 15 years.

19 Q. Previous to that what was your occupation?

20 A. I was an employee of the company.

21 Q. Of the Company of Ramsey, Greig?

22 A. That is right.

23 Q. Sir, would you tell us whether your ships  
24 or the ships for which you are agents suffer any delays  
25 in coming alongside in Quebec?

26 A. Yes, as my previous confrere spoke sub-  
27 ject to tidal conditions there is a loss of time.

28 Q. Yes.

29 A. In the case of one part of the Harbour,  
30 25 and 26 it is known we can't stop there on the flood.





1 Q. In your experience when have you started  
2 to experience these delays in docking and undocking at  
3 sheds 25 and 26?  
4 A. When changes in construction took place.  
5 Q. I understand now that face of the docks  
6 has been further altered and the face of the dock at the  
7 new grain elevator is flush with the face of 25 and 26?  
8 A. Flush with 26 at the present time. Previous-  
9 ly it was alone.  
10 Q. Do you still experience delays in docking  
11 at 26 since it is now flush?  
12 A. I wouldn't consider calling it delays. We  
13 schedule our arrivals or dockings to suit the tide.  
14 Q. To suit the tide, you schedule your  
15 vessel to suit the tide?  
16 A. When we are coming to these sheds.  
17 If the ship arrives previous to that...  
18 Q. How do you schedule your ships to arrive  
19 at a certain tide?  
20 A. Probably I made a mistake in saying schedule  
21 ships. I should say scheduling the work.  
22 Q. Does that entail any instructions to the  
23 ship to arrive at a particular time?  
24 A. No.  
25 Q. It doesn't?  
26 A. We will ask them to try and get through  
27 early, but we are here and the ship is coming up river  
28 and down river and you have no control. We haven't got  
29 him on the end of a string to pull him in when we want  
30 him.





1 Q Do you ever tell a ship to slow down in  
2 the river in order to arrive at a certain time?

3 A. We don't do that.

4 Q. Do your ships experience any delays in  
5 docking in the St. Charles River Estuary?

6 A. Yes, sir.

7 Q. Would you tell us about that?

8 A. We have experiences where they will dock  
9 on any kind of a tide, ebb or flood. Other times you  
10 expect them to dock or think that they will dock on certain  
11 conditions and usually by using a docking pilot we are  
12 able to bring them in. Some of the Upper River Pilots  
13 will come in on either ebb or flood and others will not  
14 and the greatest difficulty is not being able to learn  
15 this information in time.

16 Q. So you said that the Upper River Pilots  
17 sometimes will take ships inside an Estuary at any stage  
18 of the tide, flood or ebb?

19 A. That is right.

20 Q. Sometimes these pilots will not take  
21 ships in?

22 A. That is right, most of the time they will  
23 not take them in.

24 Q. Most of the time you say they will not  
25 take the ships in at that stage of the tide?

26 A. On the flood.

27 Q. They would take them in on the ebb?

28 A. Yes.

29 Q. Have you noticed anything similar in  
30 respect to the Lower St. Lawrence River Pilots?







English 1 A. They don't seem to have the same difficulty  
2 with the Lower St. Lawrence Pilots. They come in. They  
3 dock on arrival whether it is flood or ebb.

4 Q In your experience has it ever happened  
5 that the same ship in charge of a particular Upper River  
6 Pilot docked on the flood and later on or previous to  
7 that in charge of another Upper River Pilot not dock in  
8 the flood?

9 A. I couldn't say that. I couldn't remember  
10 that.

11 Q. How long are these delays which you ex-  
12 perience when the Upper Pilots will not take the ship in  
13 the Estuary?

14 A. Well, we find, depending on the time he  
15 arrives and the time from then to the high water, maybe 2  
16 hours, 3 hours, 4 hours. In this case the Upper River Pilot  
17 usually disembarks and then he is replaced by a docking  
18 pilot who happens to be a Lower River Pilot.

19 Q A lower River Pilot to do the docking?

20 A Yes.

21 Q Are there any extra expenses involved  
22 owing to that fact?

23 A. Oh yes, there is. If it has been anchored  
24 it is a shift.

25 Q. It is a shift?

26 A. \$20.00.

27 Q Movage for \$20.00?

28 A. Yes.

29 Q. Do you also have to pay a boat fee?

30 A. That is right.





1 Q. To disembark the pilot?  
2 A. Yes, and to put another pilot on board.  
3 Q. And embark the other one, the river pilot?  
4 A. Yes.  
5 Q. Did your company have special pilots when  
6 that system existed?  
7 A. Yes, we did,  
8 Q. You did? Did you experience similar delays  
9 in bringing ships into the St. Charles Estuary when you had  
10 special pilots?  
11 A. I would say no.  
12 Q. You would say no, or you wouldn't say no?  
13 A. I say no, we didn't have the same experience.  
14 Q. You didn't have the same experience. Are  
15 you able to pinpoint the time at which these delays began  
16 to occur?  
17 A. No.  
18 Q. You are not. Would it be last year? Has  
19 your company or the ships that you represent ever had  
20 to pay the movage fee when the ship is left by an Upper  
21 River Pilot at anchor and later on taken by Lower River  
22 Pilot to dock her?  
23 A. No, sir.  
24 Q. Not to your knowledge?  
25 A. No, sir.  
26 Q. Has your company ever thought of refusing to  
27 pay this fee?  
28 A. Sometimes we say it to ourselves.  
29 THE CHAIRMAN: You mean at anchor waiting  
30 for the tide?  
MR. JACQUES: Waiting to dock at the St.







1 English Charles Estuary.

2 THE CHAIRMAN: I see. I understand there  
3 are two instances, one for waiting for the tide and the  
4 other changing the pilots from Upper River Pilots going  
5 down.

6 MR. JACQUES: Yes, my lord.

7 THE CHAIRMAN: At any time of the tides.  
8 You have two instances there.

9 MR. JACQUES: Well, sir, I believe, if I  
10 understand rightly what the witness has said, that the  
11 ship is coming down river in charge of a particular pilot  
12 and that if the ship is bound for St. Charles Estuary  
13 a group of pilots, it appears, will not take the ships  
14 into Estuary.

15 THE CHAIRMAN: On flood tide only?

16 THE WITNESS: I believe that is what the  
17 witness said, my lord, and in that case they would anchor,  
18 leave the ship and then a St. Lawrence River Pilot takes  
19 over and docks the ship.

20 THE CHAIRMAN: When the tide is right.

21 MR. JACQUES: If I understand. We will ask the  
22 witness. If I understand correctly the Lower St. Lawrence  
23 River Pilot docks the ship at any stage of the tide?

24 A. Yes.

25 Q. He takes over from the Montreal Pilot or  
26 the Three Rivers Pilots, I should say, and docks the ship?

27 A. Yes.

28 Q. So the delay in bringing these alongside  
29 wouldn't be very great?

30 A. Not in this situation where you are able





English 1 to get a docking pilot.

2 Q. Does it sometimes happen that you are not  
3 able to get a docking pilot?

4 A. Yes.

5 Q. Would you tell us about that?

6 A. Just can't get one, the office says we  
7 can't find anybody to bring the ship in.

8 Q. The office says they can't find a pilot  
9 to take the ship in?

10 A. That is right.

11 Q. Have you ever investigated this situation?

12 A. In what way?

13 Q. To find out what is going on.

14 A. Later on the same day somebody said to me  
15 if you had called me personally I would have brought  
16 her in, but through the office I couldn't get a docking  
17 pilot.

18 Q. Yet you heard from a pilot later on and he  
19 told you if he had been called, if you called him he  
20 would have docked your ship?

21 A. That is right.

22 Q. Did you have all these problems when you  
23 had special pilots?

24 A. No.

25 Q. You didn't?

26 A. No.

27 Q. Do you think that your company would  
28 consider reverting back to the system of special pilots?

29 A. Two or three answers could be given there.  
30 There are 2 or 3 answers that could be given. Changes





1 have taken place and masters, a lot of the older masters  
2 are gone now, which objected greatly in the beginning.  
3 I don't know whether they would want special pilots back  
4 or not.

5 Q. You are not prepared to commit your company?

6 A. I am not running the ship. It is the  
7 masters I am referring to.

8 Q. You are merely the agent?

9 A. That is right.

10 Q. You don't give orders to the masters?

11 A. No, sir, just docking and undocking times  
12 and things like that.

13 Q. You don't tell them how to perform their  
14 jobs?

15 A. That is right.

16 Q. You don't tell your principals how they  
17 should run their ships?

18 A. I am there to assist them.

19 MR. JACQUES: To assist them, but not to  
20 tell them how to do it. Thank you, sir.

21

22 CROSS-EXAMINATION BY MR. LALONDE:

23 Q. This difficulty you have experienced with  
24 the St. Charles River Estuary, did you ever investigate  
25 whether it had any relationship to the size of the ship  
26 or wind conditions on that particular day or any other  
27 factors of that type apart from the fact that it is on  
28 a flood tide that you experienced these difficulties --  
29 is it flood tide?

30







English 1 A. Your question is on each instance discussing  
2 it, is that what you mean?

3 Q. Did you make certain investigations  
4 on the causes for these difficulties you have experienced  
5 in the St. Charles Estuary?

6 A. For the ship not coming in?

7 Q A downbound ship not coming in with the  
8 river pilot, the Montreal pilot?

9 A. We found in discussing the thing with the  
10 Masters afterwards that the Upper River Pilot had recomm-  
11 ended to the Master not to come in on the flood tide.

12 Q. But you haven't investigated further  
13 reasons for not coming in on the flood tide?

14 A. If we are unable to get the Lower River  
15 Pilots to bring us in you have two different opinions.

16 Q. You haven't investigated it?

17 A. No.

18

19 CROSS-EXAMINATION BY MR. LANGLOIS:

20 Q. Mr. Brodie, I understood you to say that  
21 you scheduled so that the ships would  
22 get here with the right tidal conditions. Is that the  
23 normal practice?

24 A. I had probably better explain it. About  
25 every 15 days when you are running into, say, low water  
26 at 2, 3 o'clock in the morning, starting around 2, 3  
27 o'clock in the morning, we ask that ships coming from  
28 Montreal, that they will try and get away a little early,  
29 say, 2 or 3 o'clock in the afternoon so they will get  
30 here say about 1 o'clock or by low water, 2 o'clock, and





1 not be later than 2 o'clock. In other words tell Mon-  
2 treal the low water in Quebec and ask them to try and  
3 get the ship here before low water. That is what I mean  
4 when I say we try and schedule the ships.

5 Q. In a case of this type, would the loading  
6 start as soon as the ship arrived if it is in the middle  
7 of the night or wait till morning?

8 A. No, start in the morning, 8 o'clock.

9 Q. Then if a ship is delayed for a few hours  
10 in a case like that it would be nothing to your company,  
11 no additional expense?

12 A. In the arrivals during the night, if  
13 they miss the tide -- we try to get them by 2 o'clock,  
14 2 o'clock low water, and if it arrived at 2:30 he will  
15 not be able to be docked till 9 o'clock the next morning.  
16 That is where we lose the time.

17 Q. From 8 o'clock to 9 o'clock?

18 A. That is right.

19 Q. Stevedoring starts at 8?

20 A. Eight o'clock or ten o'clock.

21 Q. What about ships inbound?

22 A. Inbound we don't have the same difficulty.

23 Q. You mean to say you have not experienced  
24 any such difficulties for ships upbound?

25 A. In the meaning of delay of docking?

26 Q. Speaking of delays in getting alongside  
27 in the Estuary of the St. Charles River or sheds 25 and  
28 26?

29 A. We have experienced delays.

30 Q. Delays due to tidal conditions or wind







English conditions or fog?

2 A. Tide and wind conditions.

3 Q. Tidal conditions alone?

4 A. Some tidal conditions.

5 Q. Is the question of wind and weather also  
6 something that is involved?

7 A. Whatever the pilot tells us, whatever time  
8 he is coming alongside, we ask him what his docking time  
9 is.

10 Q. Have you ever discussed with the Masters  
11 of these ships you are agents for whether or not they  
12 agree with the suggestion of the pilots that the ship  
13 should not dock under certain tidal conditions or weather  
14 conditions?

15 A. No.

16 Q. You have never asked the Masters whether  
17 or not the pilots were unreasonable in waiting for tidal  
18 conditions or favourable wind conditions to come alongside?

19 A. I am not a navigator, and furthermore  
20 the conditions -- I am away at least ten miles, they  
21 may be different.

22 Q. I am asking you, Mr. Brodie, if you have  
23 ever discussed with the Masters of ships involved as  
24 to whether or not they agree with the advice given by  
25 the pilots not to come alongside at certain times?

26 A. Let us say that the Masters have told me  
27 that they don't agree but they accept the advice.

28 Q. They don't agree and still they accept the  
29 advice. Did they give their reasons for not agreeing  
30 with the pilot?





English 1

A. They say the pilot is there to recommend.

2

Q. Have you had many Masters tell you that

3

they don't agree with the advice of the pilots?

4

A. This happens very often.

5

Q. I beg your pardon?

6

A. It happens very often.

7

Q. Very often. How often in a year?

8

A. I don't keep a note of that.

9

Q. Are you still agents for the Manchester

10

Lines?

11

A. Yes, sir.

12

Q. Is it not a fact in regard to coming along-

13

side into the Estuary of the St. Charles River on flood

14

tide that the Masters of the Manchester ships agree with

15

the pilot?

16

A. It could be -- what do you mean, agree

17

with the pilots?

18

Q. That the ship should not be brought in

19

with the flood tide?

20

A. I couldn't say that.

21

Q. Have you discussed that with the Masters

22

of the Manchester ships?

23

A. Yes, sir.

24

Q. Have you ever asked if they agree with

25

the pilots or not?

26

A. If what?

27

Q. If they agree with the pilots or not as

28

to the question of taking ships into the St. Charles

29

River on flood tide?

30

A. They question it. They question it but





English  
ac

1 follow the pilots' recommendations.

2 Q. Very good. Now, is it not a fact that  
3 in some cases : this matter of taking some ships in  
4 under certain tidal conditions also is coupled with  
5 the question of weather prevailing, the wind blowing and  
6 the berths available. Is it not a fact that you have a  
7 combination of factors involved there?

8 A. Yes.

9 Q. Then another question: When you were  
10 asked -- you say you were told that there was nobody  
11 that could dock your ship. Was that not another way of  
12 telling you that it wasn't recommended by the pilots  
13 available to take your ship in at that particular time, it was  
14 another way saying no. Is that not the interpretation that  
15 you gave the answer you received on these occasions?

16 A. I don't know because I was told I had one  
17 and then five minutes later told I had no pilot.

18 Q. Who told that?

19 A. Your office, the Pilotage Office.

20 Q. They said that you had a pilot available?

21 A. Yes, sir.

22 Q. How come this pilot didn't come?

23 A. He called me back and cancelled?

24 Q. Did he give you any reason for cancelling?

25 A. None at all.

26 Q. Did he say they made a mistake when they  
27 told you there was a pilot available?

28 A. No.

29 Q. When you spoke of somebody having told you  
30 that there was no pilot available, to dock your ship you







English 1 were talking then to the clerk at the Pilotage Office?

2 A That is right.

3 Q. Not to the pilot?

4 A. We don't talk to the pilot.

5 Q No, so the information you are referring to  
6 is information received from a clerk at the Pilotage Office;  
7 is that right?

8 A. That is right.

9 MR. LANGLOIS: Thank you, Mr. Brodie.

10 THE CHAIRMAN: Mr. Mahoney?

11 MR. MAHONEY: No.

12 MR. JACQUES: I have one question to follow  
13 up the cross-examination of Mr. Langlois.

14

15 DIRECT-EXAMINATION BY MR. JACQUES:

16

17 Q. Mr. Brodie, has it ever happened that an  
18 Upper River Pilot advised the master not to go into the  
19 St. Charles River on a flood tide and that the very same  
20 ship be taken over by a Lower River Pilot and docked  
21 immediately upon arrival in Quebec?

22 MR. LANGLOIS: Wouldn't that be hearsay?

23 THE WITNESS: Yes, because we don't like to  
24 impose a pilot on a captain who has received a recom-  
25 mendation not to enter.

26 Q I wonder if you understand fully my question.  
27 In docking anywhere in Quebec you have to take into  
28 account the tide, wind, et cetera?

29 A Yes.

30 Q. I want to know if you would have been





English1 obliged, in order to dock your ship arriving from Montreal  
2 to send on board here a lower river pilot to dock her in  
3 the Estuary?

4 A. Yes, this happened, not on the flood either,  
5 on the ebb tide.

6 Q. On the flood?

7 A. Automatically we put an order in if the  
8 ship is due at four o'clock in the morning, instead of  
9 having called and ask a pilot, put a river pilot on, put  
10 a docking pilot on.

11 Q. Yet your ship is docked immediately on  
12 her arrival in Quebec?

13 A. That is right.

14 Q. By a Quebec pilot?

15 A. That is right.

16 Q. So it might not be a question of prevailing  
17 conditions at the time, it might be a question that the upper  
18 river pilot doesn't wish to dock the ship?

19 A. We have had these incidents..

20 Q. You have had those incidents. When you  
21 want a pilot, how do you proceed? How do you go about it?

22 A. Phone the Pilotage Office and give an order.

23 Q. Can you go elsewhere to get a pilot?

24 A. No.

25 Q. You can't?

26 A. No.

27 Q. You go to the office?

28 A. That is right.

29 Q. Do you think you are allowed to call the  
30 pilot himself?







English 1 A. I do sometimes.  
2 Q. You do sometimes?  
3 A. And then go to the office.  
4 Q. Go to the office. Why is that?  
5 A. Make arrangements previous and then put it  
6 on record.  
7 Q. What sort of arrangements?  
8 A. Ask the pilot if he is going to be prepared  
9 to dock this boat at a certain time. Sometimes we speak  
10 to the office first and they say call the pilot himself  
11 and speak to so and so pilot.

12 MR. JACQUES: I see, thank you.

13 THE WITNESS: That happens more often where the  
14 clerk in the office tells you so and so pilot is on  
15 standby to do docking, call him up and make arrangements.

16 MR. JACQUES: That is for docking, not river  
17 piloting?

18 THE WITNESS: That is right.

19 MR. JACQUES: For docking you make your own  
20 arrangements with the pilot direct?

21 THE WITNESS: That is right.

22

23 CROSS-EXAMINATION BY MR. LANGLOIS, (continued):

24

25 Q. Mr. Brodie, you just stated in reply to a  
26 question by Mr. Jacques that you have had cases where a  
27 river pilot, a Montreal-Quebec river pilot would have  
28 refused to take your ship and then that a lower  
29 St. Lawrence pilot would have been called and would have  
30 taken the ship in on ebb-tide; is that what you said?





English 1

A. I didn't say refused, but very often a upper

2 river pilots will send in a message asking for a docking

3 pilot. That is what I referred to.

4 Q. You didn't say that he refused?

5 A. No, I didn't say he refused.

6 Q. Are you speaking of a ship arriving in  
7 Quebec on ebb-tide?

8 A. On ebb-tide conditions.

9 Q. Would you give the Commission one single  
10 example, give the name of the ship and the date on which  
11 the incident occurred?

12 A. I haven't got my records.

13 Q. It would be very interesting to hear that  
14 sir, Mr. Brodie. It would call for further investigation.

15 -

16

17

18 -

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1 THE CHAIRMAN: If you would like to consult  
2 your records, you may have time to do so.

3 THE WITNESS: I didn't have that on record.  
4 It would be in the office records, the pilotage records.  
5 That would be in the Pilotage Office records. Where a  
6 pilot for some reason or other is asking for a docking  
7 pilot.

8  
9 CROSS-EXAMINATION BY MR. LANGLOIS:

10 Q. You have no record of that in your own  
11 office but you are pretty definite that you have had  
12 such instances, or examples?

13 A. I couldn't state any specific case on  
14 that.

15 Q. Very good thank you.

16  
17 CROSS-EXAMINATION BY MR. JACQUES:

18 Q. Now I am not sure, you were asked the  
19 question about ebb tide. I ~~always~~ felt that the problem  
20 was ships arriving from Montreal and trying to dock in  
21 the Estuary on the flood and not on the ebb.

22 A. The ebb, they have no difficulty then.

23 Q. There is no difficulty in ebb. Has your  
24 experience been that the Upper River Pilots, docking  
25 ships in Quebec will dock them themselves if the tide  
26 is ebb?

27 A. Yes.

28 Q. If the tide is flood?

29 A. Some of them do.

30 Q. And would some of them decline to do so?







English

1 A. They would ask for docking pilots and  
2 go to anchor. We arrange for anchors.

3 Q. Thank you sir.

4  
5 CROSS-EXAMINATION BY MR. BRISSET:

6 Q. While on this subject, Mr. Brodie, I  
7 want to make this quite clear: you have pilots, Upper  
8 River Pilots declining to dock the ship coming into  
9 Quebec both on the ebb tide and on the flood tide or  
10 only on the flood tide?

11 A. Flood.

12 Q. It has never happened on the ebb tide  
13 that you have had to get a docking pilot?

14 A. In time they have asked for docking pilots.  
15 We don't bother about that, about losing any time because  
16 the ship is coming alongside anyway.

17 Q. So you provide the docking pilot then on  
18 the ebb tide?

19 A. That is right.

20 Q. The reason for providing the docking pilot  
21 on the ebb tide is that the Upper River Pilot has de-  
22 clined to dock the ship. Why would you provide a docking  
23 pilot otherwise?

24 A. We don't go into the argument. We want  
25 the ship alongside.

26 Q. I know you don't want to go into the argu-  
27 ment, but the question you are being asked is whether  
28 this situation of a pilot declining to take the ship to  
29 a berth in Quebec happens whatever might be the condition  
30 of the tide, ebb or flood? Do you understand?





lish

1 A. Mostly on the flood, yes.

2 Q. You say especially on the flood but does  
3 it happen on the ebb?

4 A. Just as I said before, I think so but I  
5 can't remember any specific instance. At least I have  
6 no note of any specific instance.

7 Q. Now when you have wanted what you call a  
8 docking pilot, have you always been provided with the  
9 Lower River Pilot or have you always been, on occasion,  
10 provided with another Upper River Pilot?

11 A. Most of the time, at least I think I  
12 would say all the time it was a Lower River Pilot. I  
13 can't remember any instance where an Upper River Pilot  
14 has done the shifting in the harbour.

15 Q. Let's stick to this particular situation  
16 of a ship coming down from the upper river and having  
17 to change pilots for docking purposes. Restrict yourself  
18 to this situation. You say that you asked for a docking  
19 pilot. In such case what would you understand by  
20 "docking pilot"?

21 A. A pilot to bring the ship alongside to  
22 replace the actual pilot, to bring him alongside or else  
23 to go out and bring the ship in.

24 Q. By "docking pilot" do you understand a  
25 pilot from the Lower River or a pilot from the Upper  
26 River?

27 A. We don't care where he comes from.

28 Q. When you can't get one from the Pilotage  
29 Office, and you go calling pilots on your own to find  
30 out if they will dock the ship, do you call up pilots







1 from the Lower River District or from the Upper River Dis-  
2 trict?

3 A. Lower River.

4 Q. Why, because you don't care whether he  
5 comes from the Upper River District or Lower River Dis-  
6 trict?

7 A. We call the man who the office gives us  
8 the name of.

9 Q. You mean to say before calling a pilot  
10 on your own you will call the office and get names?

11 A. Yes, he will give the name of the pilot  
12 who is docking, the docking pilot. Call him and make  
13 your own arrangements about docking and how you want the  
14 ship. We will call him directly.

15 Q. Do you have to call more than one at  
16 times like this?

17 A1 No, I don't call more than one.

18 Q. I understood from your evidence previously  
19 that when you are told by the Office that there is no  
20 docking pilot available, you would start phoning pilots  
21 yourself?

22 A. No.

23 Q. That was wrong?

24 A. Yes.

25 Q. You have mentioned that when you could  
26 not get a docking pilot you had at times spoken to various  
27 pilots and they had told you if you had got in touch with  
28 me, I would have done it?

29 A. That is right.

30 Q. In spite of that you say you never do get





English 1 in touch with any particular pilot when you couldn't get  
2 one from the Pilotage Office?

3 A. I have not done that. I have only been  
4 refused once.

5 Q. Why would you then have these conversations  
6 with other pilots?

7 A. I had it after the incident.

8 Q. But why would you talk about this? What  
9 was your purpose? What were you trying to accomplish?

10 A. Just talking.

11 Q. All right now has it happened when there  
12 is no pilot available for docking that the Master might  
13 have brought the ship in himself? Have you had an  
14 instance like that?

15 A. No.

16 Q. You have had no such cases of a Master  
17 bringing a ship in himself?

18 A. With no pilot on board? No. Except during  
19 the meeting.

20 Q. The general meeting, to be quite proper?

21 A. That is right.

22 Q. During this general meeting the Masters  
23 brought their ships in, whatever was the state of the  
24 tide?

25 A. We were very particular in giving our  
26 orders though.

27 Q. Now would you tell us whether in the 1963  
28 season you had any difficulties about docking in the  
29 St. Charles River Basin involving delays to your ship?  
30 Has that happened this year?





English 1 A. When we have any --

2 Q. Delays in docking into the St. Charles  
3 River because you have had to change over --

4 A. Yes.

5 Q. ---from a river pilot to a docking pilot  
6 or because the ship had to wait at anchor until the  
7 tide turned. Have you had this type of situation this  
8 year?

9 A. Yes.

10 Q. Have you had it recently within the  
11 last few days or last few weeks?

12 A. Yes.

13 Q. Would you give us an example when was  
14 the last one that has happened? Give us the name of the  
15 ship but don't give us the name of the pilot.

16 A. The Caren Q. arrived here. I asked my  
17 docking pilot, this is the case where I asked my docking  
18 pilot --

19 Q. Wait a second. The Caren Q. was arriving  
20 from where? Up river or down river?

21 A. Montreal.

22 Q. What date?

23 A. I would have to refer to my notes. June  
24 27th.

25 Q. And when was she due in Quebec?

26 A. She was due in Quebec about eight o'clock  
27 in the morning.

28 Q. And where was she going to berth?

29 A. Shed 29 east.

30 Q. That is in the St. Charles River Estuary?







ish

1 A. That is right.

2 Q. What happened when she arrived here?

3 A. The tide was then flood.

4 Q. What stage of the flood, do you know?

5 A. About an hour after low water.

6 Q. What happened?

7 A. I asked for a docking pilot. That is the  
8 case where I asked for a docking pilot.

9 Q. When had you asked for a docking pilot?  
10 Before or after the ship arrived here?

11 A. About 4:30 in the morning.

12 Q. Why did you ask for a docking pilot?

13 A. Because I could see that this time of  
14 arrival here, wanted to get her in to start work at 8  
15 o'clock or at the latest 10 o'clock.

16 Q. Did you expect or did you not expect to  
17 see an Upper River Pilot berth the ship?

18 A. My orders to the office during the night  
19 were that if the Montreal pilot did not bring her in,  
20 the Upper River Pilot did not bring her in to put a  
21 docking pilot on board to bring her in. He said yes.  
22 Five o'clock or so in the morning he told me that I  
23 can't get a docking pilot. Six o'clock.

24 Q. Who told you that?

25 A. The office.

26 Q. Well how did you know whether the Upper  
27 River Pilot would or wouldn't bring her in?

28 A. I left an open order. I was pretty sure  
29 he wouldn't bring her in.

30 Q. Why were you so sure?





ish

1 A. We do that all the time, leave an open  
2 order.

3 Q. You left an open order at the Pilotage  
4 Office?

5 A. They give us a call.

6 Q. And you got this call you said at what  
7 time?

8 A. It was before six o'clock.

9 Q. And what was told to you by the dispatcher,  
10 or whatever clerk called you?

11 A. He said I will try and get you another one  
12 and then he called me back a few minutes later and said  
13 I can't get any.

14 Q. What did you do?

15 A. So I ordered a pilot then for the change  
16 of the tide.

17 Q. At what time?

18 A. The low water was 6:37, that was  
19 7:15, as soon as he wanted to bring her in.

20 Q. What happened?

21 A. We ordered the pilot then for 12:30.

22 Q. 12:30 in the afternoon?

23 A. That is right.

24 Q. Instead of eight o'clock in the morning?

25 A. High water was 11:30.

26 Q. And did you get your pilot?

27 A. Yes. The ship was docked at one o'clock.

28 Q. And at what time did she arrive in  
29 Quebec and would have docked if you had not had this  
30 difficulty?







1sh

1 I Eight thirty.

2 Q. And you had ordered your gangs for what  
3 time?

4 A. Fortunately I cancelled these gangs  
5 for the eight o'clock, and also cancelled for the ten  
6 o'clock and we ordered for one.

7 Q. Was there any penalty to pay for this  
8 stevedore gang in this regard?

9 A. No.

10 Q. There was no loss?

11 A. Because I cancelled the gangs previously,  
12 when I was able to.

13 Q. Now have you had other instances this year  
14 similar to the one you have just described to us?

15 A. No. Borderline instances. That is all.

16 Q. What do you mean by borderline instances?

17 A. When we get in at 8:15 or 8:30, something  
18 like that.

19 Q. What do you mean by getting in at 8:15  
20 or 8:30?

21 A. Where we hope to get in before eight o'clock.

22 Q. And why would you be delayed? Was it the  
23 same reason?

24 A. For no reason, no reason of non performance  
25 there. Just conditions.

26 Q. I am asking you to tell me about the delays  
27 to your ship with relation to the changeover of pilots  
28 from river pilots to docking pilots?

29 A. I have no other.

30 Q. You have no other instances?





ish

A. No.

CROSS-EXAMINATION BY MR. LALONDE:

Q. Mr. Brodie you referred to the Caren Q?

A. Yes.

Q. Is it not a fact that this ship is a turbine ship?

A. Yes.

Q. And a ship or such a ship has no backing power?

A. Yes.

Q. And is it not a fact that this particular characteristic of that ship could have been a very important factor in the importance of having a pilot to do the docking at the particular time you would have preferred to have it done?

A. Might have. I will admit that.

Q. Thank you.

THE CHAIRMAN: You mentioned an instance that is happening every 15 days; you said that the low water is about two o'clock in the morning.

THE WITNESS: That is right, when the tide gets into that time range.

THE CHAIRMAN: Therefore, the lower low water happens twice a month?

THE WITNESS: Twice a month, yes sir.

THE CHAIRMAN: So, why, in a case like that, did you say it was two o'clock in the morning?

THE WITNESS: If you judge the time, the actual time taken from Montreal to Quebec, say given an





1 average of 9 hours, in the period, say, from 9 hours after  
2 5 p.m. or 6 p.m. In other words, finish a job at that  
3 time in Montreal, that brings you here about 2, 3 o'clock  
4 in the morning and when you are in at that tide, that is  
5 when the difficulty comes.

6 THE CHAIRMAN: So in a case like that, what do  
7 you do? What are you trying to do? To bring the ship in  
8 prior to flood time?

9 THE WITNESS: Prior to the end of the ebb.  
10 That is where we try to get in touch with them leaving  
11 Montreal, by discussing it there with them.

12 THE CHAIRMAN: Is the reason for bringing that  
13 ship at that moment on account of the available water or  
14 is it current in the Basin?

15 THE WITNESS: Before the low water, before the  
16 finish of the ebb tide, the ebbing current.

17 THE CHAIRMAN: What I am trying to find out is  
18 whether you are concerned with the available water at  
19 lower low water in the St. Charles Basin.

20 THE WITNESS: No, sir, we have plenty of water  
21 there.

22 THE CHAIRMAN: It is only a matter of current?

23 THE WITNESS: Current, yes.

24  
25 CROSS-EXAMINATION BY MR. POISSON:

26 Q. Monsieur Brodie, auriez-vous objection à  
27 nous dire à peu près combien de bateaux votre Compagnie  
28 peut-elle accoster dans le Port de Québec, chaque année,  
29 environ?

30 Q. Would you have any objection in telling







1 us approximately how many trips your company makes for  
2 docking in the Quebec Harbour?

3 R. Une moyenne de six ou sept bâtiments par  
4 semaine; des semaines c'est plus, des semaines c'est  
5 moins; comme 300 par année.

6 A. An average of 6 or 7 trips - about 300  
7 trips per year.

8 Q. Est-ce que vous désirez par exemple, que  
9 la proposition des pilotes d'avoir des pilotes d'accostage  
10 dans le Port de Québec serait avantageuse, en moyenne,  
11 pour l'accostage de tous ces bateaux dont vous vous  
12 occupez?

13 Q. Do you consider, for example, that the  
14 proposal by the pilots written recommendation to the  
15 effect that they should have some docking pilots in the  
16 Quebec Harbour would be an advantage, on an average, for  
17 the docking of all these ships you are concerned with?

18 R. Oui, si on avait la garantie; mais même  
19 eux ne sont pas capables de donner la garantie.

20 A. Yes, if we had the guarantee but even  
21 then we cannot guarantee the availability.

22 Q. De quelle garantie parlez-vous au juste?

23 Q. What type of availability are you talking  
24 about?

25 R. Qu'on l'aura toujours au quai quand on  
26 le veut.

27 A. Well, the availability of pilots for  
28 docking.

29 Q. Vous voulez dire que même si le principe  
30 d'avoir des pilotes pour faire accoster des bateaux dans





1 le Port de Québec était adopté, on ne serait pas sûr  
2 d'avoir des pilotes?

3 Q. You mean that even if the principle of  
4 having pilots, docking pilots in the Quebec Harbour was  
5 adopted, you would not be sure of having pilots available?

6 R. Non, on serait supposé d'être plus sûr  
7 d'avoir les navires au quai.

8 A. Well, we should be sure, to have the ships  
9 dock.

10 Q. D'avoir les navires au quai, mais si le  
11 pilote est là. Est-ce que je dois comprendre ---

12 Q. Yes, but only if the pilots are available.  
13 Am I to understand that you still have a special pilot to  
14 do that job?

15 R. Vous dites que vous avez un pilote  
16 spécial pour le faire?

17 A. Yes.

18 Q. C'est ça. Est-ce que je dois comprendre  
19 d'après votre réponse de tout à l'heure que même si ce  
20 nouveau système était établi, il serait possible qu'il  
21 n'y ait pas de pilotes disponibles pour accomplir la  
22 tâche? Est-ce que c'est ça que vous voulez dire?

23 Q. I understand then by your previous answer  
24 that even if this new system was adopted, it would be  
25 possible not to have available pilots to do the job?

26 R. Moi, je n'ai pas dit qu'il n'y en avait  
27 pas pour la tâche.

28 A. No, that is not what I meant. I did not  
29 say there would not be any available pilots.

30 Q. Vous dites: si on avait des garanties.







1 De quelles garanties parlez-vous?

2 Q. You said if we had guarantees to the  
3 effect - well what type of guarantee are you talking about?

4 R. J'ai dit: si on avait des préposés à  
5 l'ouvrage, on aimerait avoir les garanties d'accostage.

6 A. I said if we had some, this system that is  
7 proposed, we would like to have some guarantees for  
8 docking as much as possible.

9 Q. Contre des conditions, ou contre les  
10 circonstances?

11 Q. Against conditions?

12 R. Non, il faut être raisonnable, on discute  
13 de l'ouvrage, avant de la faire.

14 A. No, we must be reasonable.

15 Q. D'accord, mais ce que je voudrais essayer  
16 d'établir ici, par exemple: est-ce que vous croyez que ce  
17 serait plus avantageux, en pratique, d'avoir des pilotes  
18 préposés à l'accostage des navires, dans tous les cas,  
19 dans le Port de Québec, ou si vous préférez un système  
20 comme celui qui prévaut actuellement.

21 Q. What I would like to establish is the  
22 following: do you think it would be more advantageous,  
23 practically speaking, to have pilots - special pilots for  
24 docking of ships in all cases in the Quebec Harbour or  
25 would you rather have a free system such as the one that  
26 prevails at the present time?

27 R. --- vous voulez, là, que ce soit une  
28 règle générale et non pas un cas ---

29 A. You are speaking of having a general rule?  
30 As a general rule?





1 Q. Pas un cas isolé; que ce soit une règle  
2 générale, oui.

3 Q. Not an isolated case.

4 R. Naturellement, nous autres, on parle pour  
5 notre compagnie; on va regarder les dépenses, on ne veut  
6 pas avoir de dépenses additionnelles, mais si on était  
7 pour être plus certain de ne pas avoir d'autres dépenses  
8 additionnelles, on serait content d'avoir la proposition  
9 pour accoster les navires en presque tout temps.

10 A. Naturally, we are speaking on behalf of  
11 our company. We are going to look at the expenses. We  
12 don't want to have any further expenses but if we would  
13 be sure not to have any other, or any further costs, well,  
14 we would be happy to have this recommendation approved;  
15 that is to say, to have special pilots for docking  
16 purposes.

17 Q. Est-ce que pour accoster trois cents  
18 navires par année, ça pourrait représenter une dépense  
19 d'environ quel chiffre, annuellement, pour une agence  
20 comme la vôtre?

21 Q. Do you think that to dock 300 ships per  
22 year, this represents an expense of how much on a yearly  
23 basis for an agency such as yours?

24 R. Vous multipliez par 20; ça coûte ça.

25 A. Well, you multiply by \$20, that is all.  
26 That is the total.

27 Q. Ca ferait \$6,000.00, en somme? Est-ce  
28 que vous croyez vraiment qu'une dépense de cet ordre-là  
29 serait compensée par les économies que vous pourriez par  
30 ailleurs réaliser?





1 Q. So it gives you \$6,000 or do you think  
2 that such an expense would be compensated for by the  
3 savings that you could make?

4 R. Dans certains cas.

5 A. In certain cases, yes.

6 Q. On ne peut pas établir de règle générale?

7 Q. But you cannot establish a general rule  
8 about that?

9 R. Non.

10 A. No.

11 Q. C'est ce que je voulais vous demander,  
12 monsieur, merci.

13 Q. That is all I wanted to ask you, thank  
14 you, sir.

15 THE CHAIRMAN: No further questions of the  
16 witness? Thank you, Mr. Brodie.

17

18 ARMAND LESSARD, sworn

19 DIRECT EXAMINATION BY MR. JACQUES:

20 Q. Your age, please?

21 A. 46 years old.

22 Q. Your occupation?

23 A. Accountant, civil employee.

24 Q. For which Department do you work?

25 A. Department of Transport, Pilotage Service.

26 Q. Here in Quebec?

27 A. Yes.

28 Q. Since when?

29 A. 1936.

30 Q. 1936 as an accountant. As an accountant







1 do you deal with the collection of pilotage fees here in  
2 Quebec?

3 A. Yes.

4 Q. Could you describe for the Commission the  
5 system of accounting which you keep here? The books and  
6 how you proceed for the collection of fees and the trans-  
7 mission of those monies?

8 A. First the bills are sent to the agent,  
9 according to the regulations which have been prepared.

10 Q. Who prepares the bills?

11

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1           A.     Myself and my assistant. Then there is  
2 the channel fee which is three-quarters of a cent per  
3 ton to a minimum of 2,000 tons and a maximum of 15,000  
4 tons. Second there is the draught fee for a ship from  
5 Escoumains to Quebec at \$5.25 and from Port Alfred to  
6 Quebec and vice-versa \$6.50. Then we have the tonnage  
7 which is to be checked for ships which are not registered  
8 under the British System of Measures. We have the  
9 Class A pilot, \$25.00 fee. Then there is a fee if there  
10 is cancellation or detention of pilot, we must bill them  
11 accordingly. There is the fee for the pilot paid to  
12 Escoumains.

13           Q.     Where do you get the necessary information  
14 to prepare the bill?

15           A.     Well this is information we are - which  
16 is supposed to be on the card which the pilot gives to  
17 the office when he comes back.

18           Q     You say the information is supposed to be  
19 on this card. Does this mean that sometimes this in-  
20 formation is not on the card?

21           A.     Yes, it happens sometimes that for the  
22 draught, for instance, the pilot says refer to Montreal  
23 or Three Rivers and the tonnage sometimes is forgotten,  
24 a blank is left there and then we must verify with the  
25 card of the district, the Montreal pilot.

26           Q.     When it arrives from Montreal or Three  
27 Rivers you must go and check on the card of the pilot  
28 from Three Rivers or Montreal?

29           A.     Yes.

30           Q.     How do you do it?







1 A. Well when the pilot comes back from Three  
2 Rivers to Quebec his card is in Quebec, before we send  
3 the cards to Montreal I check those cards to see if  
4 I can find the appropriate card and if by any chance the  
5 card goes through to Montreal before I ask him for the  
6 information, he teletypes through to the Montreal  
7 accountant.

8 Q. You are talking about the Source Form?

9 A. Yes.

10 Q. Does it happen there is wrong information?

11 A. Sometimes it happens.

12 Q. Does this happen every day?

13 A. One or two per day.

14 Q. That information is lacking?

15 A. Yes.

16 Q. And how many Source Forms do you process  
17 here? How many cards?

18 A. Well you mean with the two districts or  
19 only the Quebec District?

20 A. Well the errors or the omissions, do they  
21 apply only to one district or to both districts?

22 A. Checking especially omissions in the  
23 Quebec District. For the Montreal District it's the  
24 Montreal accountant who has to look after that.

25 Q. I am sorry Your lordship I should have  
26 asked this question in the beginning: you look after  
27 accounting for the Quebec District. That is to say the  
28 pilots from Quebec to Escoumains?

29 A. Right.

30 Q. Now you also look after the accounting for





French 1 the pilots from Quebec to Three Rivers?

2 A. The collection of pilotage dues from  
B/RPS 3 Quebec to Three Rivers is in Montreal.

4 Q. So you have nothing to do with that?

5 A. The only information which I collect  
6 is on the part of the pilots from Quebec to Three  
7 Rivers, information which is on the cards of the pilots  
8 of Quebec.

9 Q. Now, for the Quebec District how many  
10 cards, source forms do you collect every day, approximately?

11 A. About 50 to 60.

12 Q. There are about two cards on which there  
13 are some omissions, these kind of omissions, can you trace  
14 them back to one or two pilots, or is it general?

15 A. We may say it is quite general. Before  
16 it used to be always the same. It happens now to almost  
17 every pilot for reasons which they know. If they come  
18 in at night and they don't have the same draught, feel  
19 that the draught is more than what the Captain told them,  
20 they write in it "check the draught", and the same thing  
21 is true for the tonnage.

22 Q. Sometimes this space is filled in for  
23 checking. How do you proceed to check these data?

24 A. When the source forms come up from  
25 Three Rivers it is given to the office at Quebec and before  
26 we mail it to Montreal I check both cards to see if they are  
27 the same, if I can find the information I am looking for,  
28 draught and tonnage of a given ship.

29 Q. Now, we are going to talk about draught,  
30 because it is quite important for several reasons. Do you





1 French

2 check the source form of the Quebec, Three Rivers pilots  
3 with the source forms of the Les Escoumaines Quebec  
4 cards?

5 A. Only when there is a notice on it that  
6 you check, to check the draught. If there is nothing  
7 I don't. I take the card from the Quebec pilot and  
8 it is only when he indicates me to check it that I check  
9 it on the form of the Quebec or Three Rivers.

10 Q. These checks on draught, does it happen  
11 often that there are important differences, differences  
12 which might affect the rate?

13 A. Well, there might be differences of one  
14 foot, one and one half foot.

15 Q. One foot, one and a half foot between  
16 the draught the pilot has shown on his card and the  
17 Les Escoumaines and Quebec and Three Rivers?

18 A. And the same thing the other way,  
19 sometimes Montreal is one half a foot more than is  
20 indicated by the pilot.

21 Q. There might be differences between fresh  
22 water and salt water?

23 A. They are supposed to use salt water.

24 Q. Where?

25 A. From Les Escoumaines to Quebec or Quebec  
26 to Three Rivers the draught is supposed to be given in  
27 fresh water draught.

28 Q. Fresh water draught?

29 A. That is right.

30 Q. Now, how many people do you have working







rench 1 with you in your accounting department?

2 A. I have one assistant.

3 Q. You have one assistant. Now, these  
4 computations in draught and tonnage, do they create  
5 an overload of work for you?

6 A. No, this is being done with the rest  
7 of the work.

8 Q. How many days a week do you work?

9 A. Five days a week.

10 Q. How many hours a day?

11 A. About six, six and a half hours a day.

12 Q. When you have prepared your statements,  
13 your bills to send them to the shipping agent do you  
14 send a copy of these bills to the pilots?

15 A. Copies of bills are sent to the  
16 Pilots' Association for their records so that they  
17 can check exactly what is charged and they can find out  
18 how much money is coming to them for the year and they  
19 must be able to check the money I give them, correspond it  
20 to the amount I have collected.

21 Q. Do you send your bills every day?

22 A. Done every day.

23 Q. And you also send a copy to the Pilots'  
24 Association?

25 A. Yes, sir.

26 Q. Do you send these copies also every  
27 day?

28 A. No, I don't send them every day.

29 Sometimes I take advantage of the fact that they come

30 to the office to give them these copies. Some other times





1 French

2 I mail them to them.

3 Q. How can we verify that you transmit a  
4 copy of all the bills?

5 A. Well they know what the pilots are  
6 clearing. They have a copy of all the assignments. I  
7 know Mr. Bedard and Mr. Lafleur know what they have  
8 done, how many ships. They can verify by checking the  
9 bills and the number of trips made by each pilot.  
10 They may have been done and they are paid for it and  
11 claim it.

12 Q. Are your bills numbered?

13 A. Yes, absolutely, our bills are numbered.

14 Q. It is the same number on the accounts . . .

15 A. Which we send to the company or to the  
16 agent.

17 Q. You have the same number on the bill  
18 and all the copies, so they are all numbered?

19 A. Yes.

20 Q. So it is possible to tell by the number  
21 if you sent all your bills?

22 A. Yes, absolutely, and the Department of  
23 Treasury come from Ottawa, come every year to verify  
24 our books.

25 Q. Do the pilots or your does the  
26 Pilots' Association verify your books?

27 A. No, they don't verify the books.

28 Q. So those are bills which are being sent  
29 during the course of the year. At the end of the year  
30 do you send a summary of the collections which were made?







1 French

2 A. Yes, every year the auditor of the  
3 association prepares a summary of everything which has  
4 been made, cancellations, detentions, pilotage, movages  
5 and so forth and he also takes the collections which have  
6 been made and tries and corresponds them to the amount  
7 which is being given to the pilots.

8 Q. So you have given them the money which  
9 has come in and what is due to them?

10 A. Yes. If there is a difference between  
11 what they are entitled to and what they earn and what  
12 they have got, the difference is bills that haven't  
13 been collected yet. They have the copy of it and can  
14 check if it is collected.

15 Q. Do you have any difficulty to get your  
16 bills paid, pilotage bills?

17 A. No, I wouldn't say we have difficulty.  
18 Some companies are quite a long time before they pay.  
19 Some companies pay for going up and going down at the  
20 same time and when a ship goes up she might be coming  
21 down before the end of the month. If they follow that  
22 practice of paying both at the same time it will take  
23 a month and a half or two months before the bill is paid.

24 Q. What is the average number of days  
25 between the date when you send a bill and the date on  
26 which you collect the money?

27 A. About 30 to 40.

28 Q. About 30 to 40, so this is the average  
29 time it takes to collect for your bills?

30 A. Yes.





1 French

2 Q. I am showing to you a document which I  
3 wish to file as Exhibit 585. Would you please tell us  
4 how we can entitle this exhibit and what this document  
5 represents?

6 A. This document represents a list of  
7 accounts receivable on December 31st, 1961 and on December  
8 31st, 1962.

9  
10 ---EXHIBIT NO. 585: List of accounts receivable  
11 at December 31st, 1961 and  
12 December 31st, 1962.

13 Q. If you want we will look at 1959.

14 A. Yes, sir.

15 Q. According to this Exhibit 585, according  
16 to this 1959 only two accounts weren't paid.

17 A. I wouldn't say two accounts, two companies  
18 haven't paid their bills. They still have to pay their  
19 pilotage dues for these years.

20 Q. Now, in 1960 there is a number of  
21 companies and ships and this represents a total of  
22 \$34,450.00 for 1960?

23 A. Yes, sir.

24 Q. Can you explain this important sum which  
25 is still outstanding?

26 A. Well, this amount was due on December  
27 31st, 1960, but they have been paid since the beginning  
28 of 1961. With the closing of the navigation season  
29 quite a lot -- it doesn't close now -- any ship which  
30 goes through leaves Escoumaines before December 31st is





1 French

2 in the year, in the 1960 season. If it goes through  
3 January 1st it is entered in the 1961 season.

4 Q. So those monies were receivable in 1960  
5 but it does not mean they are not paid today?

6 A. No. If those bills were paid we show  
7 it.

8 Q. For 1960 you still have outstanding  
9 \$859.37 to collect?

10 A. Yes.

11 Q. So this means that during 1961 the  
12 receivable accounts amounting to to thirty-four thousand  
13 and some dollar have been paid and you have left  
14 \$800.00?

15 A. Right.

16 Q. Now, does the same thing happen . . .

17 A. If you refer to the report for 1962 you  
18 will see for 1961 there is \$60.00 which they charge  
19 not to the pilot, but to the Government. It is a towing  
20 that the pilot had done for a ship in distress.

21 Q. Now, do you transmit this report,  
22 Exhibit 585 to the Pilots' Association, do you transmit  
23 any kind of report of receivable accounts?

24 A. Well, that is to say that every two  
25 weeks I give the amount of arrears which I have and  
26 they check with their copies of the bills and bring up to  
27 date the amounts. They always check against one another.

28 Q. You don't send them for instance a  
29 statement indicating the amount which has been paid in  
30 for the years 1959, 1960 and 1961?







1 French

2 A. No, because they have a copy of this  
3 bill and when it isn't paid for me it is not paid for  
4 them. They have got all the bills so they know what  
5 they still have coming to them.

6 Q. According to these bills that are in  
7 arrears in 1959, 1960 and 1961, do you know if there  
8 are any companies in bankruptcy?

9 A. They are all companies which went to  
10 bankruptcy. For the \$60.00 which was a ship in distress  
11 at that time we sent a bill to the ship and the ship and  
12 the ship was going to the shipyard and the captain died.  
13 I don't think we will collect on that.

14 Q. Do you receive instructions from the  
15 Pilots' Association sometimes on the collection of bills?

16 A. Not on the collection directly.  
17 Sometimes when a pilot didn't collect -- for a detention  
18 or has done some kind of work that has not been charged  
19 to any company, so we send another bill to compensate  
20 what we have forgotten.

21 Q. Does it happen that the Pilots' Association  
F2 22 asks you or asks the Pilotage Authority in Quebec to  
23 seize ships because they wouldn't pay the pilotage fees.

24 A. It doesn't happen. When this kind of  
25 collection takes place it is the Department of Transport  
26 which has seized the ships for pilotage fees for the  
27 District of Quebec, Montreal or other Districts.

28 Q. Did you have anything to do with that  
29 in any way, shape or form?

30 A. No, not at all.





1 French

2 Q. It is the Department of Transport which  
3 decide upon the request to seize a ship given by the  
4 Pilots' Association -- are you aware of this?

5 A. No, maybe from Montreal. If I remember  
6 there was a ship that had been in Quebec that had bills  
7 due in Montreal and we told the Customs to hold the ship  
8 until they paid the amount of pilotage dues they owed  
9 to the Montreal.

10 Q. Do you know of any other cases?

11 A. No, I don't remember any other cases.

12 THE CHAIRMAN: Are you going to change the  
13 subject?

14 MR. JACQUES: Yes.

15 THE CHAIRMAN: We will adjourn to 2:30.

16  
17 ---LUNCHEON ADJOURNMENT.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30







PB/RPS 1 French

2 ---UPON RESUMING at 2.30 p.m.

3

4 Q. You mentioned in your evidence some  
5 difficulties which arise with the tonnage of ships. Could  
6 you explain to the Commission how you check the tonnage?

7 A. Tonnage is inscribed in the book, tonnage  
8 according to the nationality of the ship.

9 Q. At what line -- this index which was  
10 mentioned in Montreal, it is not Llodys Registry. Do  
11 you have any difficulties concerning the tonnage of  
12 a ship under a foreign flag?

13 A. Yes, lots of South American ships, from  
14 Panama, from Libera, from Argentine sometimes you increase  
15 tonnage by 20 per cent.

16 Q. You have received a notice to increase  
17 tonnage by 20 per cent. Who sent you this notice?

18 A. This comes from the customs officer.

19 Q. Here in Quebec?

20 A. No, I think in Montreal, Customs Officer  
21 L'Heureux? I think in Montreal, a letter was addressed to  
22 the National Harbours Board.

23 Q. This letter has been transmitted to you?

24 A. Yes, by the Supervisor who gave me a  
25 copy of it.

26 Q. It is a letter of what year?

27 A. 1956, September 13th.

28 Q. If the Commission pleases, I should like  
29 to file as Exhibit 586 letter of September 13th, 1956  
30 addressed by Mr. P. L'Heureux, Customs Officer to Mr. Fraser,





1 French

2 Harbourmaster as well as a letter to everybody, it seems,  
3 dated September 6th, 1956 by the Customs Officer. These  
4 letters concern the tonnages of ships.

5 THE CHAIRMAN: May I see it?

6 MR. JACQUES: I have copies for the Commission  
7 and for the counsel.

8  
9 --- EXHIBIT NO. 586: Letter of September 13th, 1956  
10 addressed by Mr. Peter L'Heureux,  
11 Customs Officer to Mr. Fraser,  
12 Harbourmaster. Also letter dated  
13 September 6th, 1956 by the  
14 Customs Officer.

15 MR. JACQUES: You were in office in 1956, sir?

16 A. Yes, sir.

17 Q. When these letters were received by your  
18 office did you follow the directives which are given to  
19 increase tonnage by 20 per cent?

20 A. Yes, I did it immediately, changed it  
21 consequently.

22 Q. Now, do you still charge the surcharge  
23 of 20 per cent?

24 A. Yes, the Order in Council has not been  
25 revoked therefore we still charge 20 per cent.

26 Q. I am showing you a document called the  
27 Canada Shipping Act, tonnage of ships, signed by George  
28 C. Marler, Minister of Transport, Ottawa, July 31st,  
29 1956. Is this a document which was in your possession?

30 A. Yes, sir, and still is.





1 French

2  
3 ---EXHIBIT NO. 587:

Document called the Canada  
Shipping Act, tonnage of ships,  
signed by George C. Marler  
Minister of Transport, Ottawa,  
July 31st, 1956.

4  
5  
6  
7 Q. Would you briefly tell the Commission  
8 what this document is about?

9 A. It is the same line, ships from Argentina,  
10 Brazil, China, Czechslovakia -- Argentina, Brazil, Chile,  
11 China, Costa Rica, Cuba, Czechslovakia, Honduras, Liberia,  
12 Panama, Paraguay, Peru, Switzerland, Uruguay should be  
13 increased by 20 per cent and be charged according to the  
14 tariff in effect.

15 Q. You based yourself on this document to  
16 ask 20 per cent additional on ships of nationalities which  
17 you just listed?

18 A. Yes, sir.

19 Q. If it pleases the Commission would you  
20 like me to read the Article. I only have the English  
21 text of the Canada Shipping Act, sub-Section 1

22 "Whenever it appears to the Governor-  
23 "in-Council that the tonnage regulations of  
24 "this Act have been adopted by any foreign  
25 "country, and are in force there, the Governor-  
26 "in-Council may order that the ship of that  
27 "country shall, without being re-measured in  
28 "Her Majesty's dominions, be deemed to be  
29 "of the tonnage denoted in their certificates  
30 "of registry or other national papers, in the







1 French

2 "same manner, to the same extent, and for the  
3 "same purposes as the tonnage denoted in the  
4 "Canadian certificate of registry of a British  
5 "ship is deemed to be the tonnage of that  
6 "ship, and any space shown by the certificate  
7 "of registry or other national papers of any  
8 "such ship as deducted from tonnage on account  
9 "of being occupied by seamen or apprentices,  
10 "and appropriated to their use shall be deemed  
11 "to have been certified under this Act, and  
12 "to comply with the provisions of this Act which  
13 "apply to such a space in the case of Canadian  
14 "ships unless a surveyor of ships certifies  
15 "to the Minister that the construction and the  
16 "equipment of the ship as respects that space  
17 "do not come up to the standard required under  
18 "this Act in the case of a Canadian ship and  
19 "if any question arises whether the construction  
20 "and the equipment of the ship do come up to  
21 "the required standard a surveyor of ships may  
22 "inspect the ship for the purpose of determining  
23 "whether such a certificate should be given by  
24 "him or not.

25 "Sub-Section 2:

26 "The Governor-in-Council may limit the  
27 "time during which the order is to remain in  
28 "operation, and make the order subject to such  
29 "conditions and qualifications, if any as the  
30 "Governor-in-Council may deem expedient and the





1 French

2 "operation of the order shall be limited and  
3 "modified accordingly.

4 "Sub-Section 3:

5 "Where it is made to appear to the  
6 "Minister that the tonnage of any foreign  
7 "ship, as measured by the rules of the country  
8 "to which she belongs, materially differs from  
9 "that which would be her tonnage if measured  
10 "under this Act, the Minister may order that,  
11 "notwithstanding any order of the Governor-  
12 "in-Council for the time being in force under  
13 "this Section, any of the ships of that country  
14 "may, for all or any of the purposes of this  
15 "Act be re-measured in accordance with this  
16 "Act."

17 THE CHAIRMAN: I suppose then two countries  
18 have enacted laws of this type. In 1959 Venezuela and  
19 Israel and struck off.

20 MR. JACQUES: I think so, sir.

21 Q. Now, in previous Exhibit 586, it is  
22 mentioned, certificate of British tonnage. Have you your  
23 copy of that?

24 A. Yes, I have.

25 Q. Would you please give a copy, certificate  
26 of British tonnage to be filed as Exhibit No. 588.

27  
28 ---EXHIBIT NO. 588: Certificate of tonnages.

29  
30 A. To inform that the tonnage given in the







1 French

2 Lloyds ship index is not the British tonnage conveyed  
3 on a copy of the British registry which gives the net  
4 tonnage of 2775 and in the Ship Index it is 2666.

5 Q. When you make an account for that ship  
6 what tonnage do you use?

7 A. I use the British tonnage of 2775. By  
8 increasing the tonnage of 2226 by 20 per cent they would  
9 have to pay more than producing the certificate of  
10 2775.

11 Q. Are there several ships which give you  
12 tonnage, British tonnage certificates?

13 A. Some of them do it. Others through their  
14 agents may give a note to Customs that the tonnage is  
15 according to the American certificate and we accept the  
16 confirmation of that and we charge accordingly.

17 THE CHAIRMAN: I understand that the ship does  
18 not appear in Lloyds index?

19 A. Yes, it appears as 2666 on the Lloyds  
20 ship index and a certificate of British tonnage shows  
21 2775.

22 THE CHAIRMAN: 2775.50.

THE WITNESS: Yes, 2775.50.

PS 23 Q. Could you tell the Commission according  
24 to the Lloyds shipping index what tonnage is referred to  
25 in this volume?

26 A. There is a gross tonnage and net tonnage.

27 Q. Is it measured according to the country's  
28 law where the ship is registered?

29 A. Yes.

30 Q. Now we have talked about the calculation





1 French:

2 or charges for pilotage dues. Would you tell the  
3 Commission what you do with money that you receive from  
4 the ships?

5 A. Every two weeks I give to the Pilots'  
6 Association 90 per cent of what I have collected and 10  
7 per cent to the pension fund of that corporation. And  
8 the charges for the pilot ships are given to the Receiver  
9 General of Canada.

10 Q. You have mentioned the Association and  
11 the Corporation. To whom do you make the cheque out?

12 A. The cheque is made to the Association of  
13 Pilots for the Port of Quebec and upstream and for the  
14 pension fund is for the Corporation of Quebec.

15 Q. Would you please repeat?

16 A. Pension fund of the Corporation of Quebec  
17 Pilots.

18 Q. According to the regulations of the  
19 Quebec District, pilotage dues are supposed to be paid  
20 to the pilots, I think, is this correct?

21 A. More or less.

22 Q. Please explain?

23 A. According to what I have been told, the  
24 pilot gives a proxy to the Association which enables the  
25 Association to collect the pilotage dues.

26 Q. Would you please repeat?

27 A. The pilot has given his proxy to the  
28 Secretary of the Association which enables the Association  
29 to collect these pilotage dues.

30 Q. Do you have in your office this sort of





French

1 authorization?

2 A. No, I have not seen any.

3 Q. Who would have such authorization?

4 A. It would be the Secretary of the Pilotage  
5 Association.

6 Q. To your knowledge in your office, I am  
7 not talking about yourself personally, but your office of  
8 the Quebec district, would somebody have these proxies  
9 or authorizations?

10 A. I don't think so.

11 Q. Since we have been concerned with account-  
12 ing has it happened that a pilot has given instructions  
13 to the Quebec supervisor to give him the pilotage dues  
14 that he has earned?

15 A. No, not since I have been an accountant  
16 here.

17 Q. Did you prepare a document giving the  
18 income from pilotage for the years 1958 to 1962,  
19 inclusive as well as other information concerning the  
20 effective earnings of a pilot?

21 A. Yes.

22 Q. I should like to deposit this document  
23 under Exhibit number 589.

24  
25 ---EXHIBIT NO. 589: Earnings and work loads of pilots.  
26

27 Q. Could you explain the reference in this  
28 document, Exhibit 589. On the right column you see  
29 revenue, tonnage, draught?

30 A. Yes.







1 French

2 Q. These are charges made to ships according  
3 to the tariff or tonnage, draught and movages in the harbour.  
4 The following charge is always according to the tariff?

5 A. Yes.

6 Q. Cancellations and next there has been  
7 "without pilots". What does that mean?

8 A. These are ships which are supposed to  
9 pay pilotage dues but do not take pilots and must leave the  
10 barges, for which we charge half tariff.

11 Q. Why do you charge a half tariff?

12 A. Because according to the regulations.

13 Q. According to the rate you charge full  
14 rate or half rate for the Canadian ships of more than  
15 two thousand tons.

16 A. And if it is a ship which is not registered  
17 in a British harbour, as was the case here, for some  
18 ships the full rate applies and if it is a ship which  
19 is not registered in the British harbour then it pays  
20 full rate just like as if there were a pilot aboard.

21 Q. We are talking about the Section 6,  
22 sub-paragraph 2 of the regulations for Quebec District.  
23 Now the next thing you have is tonnage overcharge.  
24 Would you explain what is tonnage overcharge?

25 A. Tonnage overcharge just covers what we  
26 discussed a while ago, a ship which was not registered  
27 according to the British law, their tonnage is increased  
28 by 20 per cent and we charge three-quarters per cent  
29 a ton, according to the rates which apply.

30 Q. And how do you get to this proportion of





1 French

2 tonnage overcharge?

3 A. Because there is a quantity of ships  
4 from Anglo, for instance.

5 Q. Now you mentioned tonnage overcharge, the  
6 figures which are given for each year, does this represent  
7 the total amount of pilotage fees paid by each of the  
8 ships which is not measured according to the British  
9 laws and for which you have no certificate?

10 A. Exactly, this is the tonnage surplus which  
11 has been paid by ships which are not registered according  
12 to the British law.

13 Q. So it is 20 per cent?

14 A. Yes, this includes only the 20 per cent.

15 Q. This includes only the 20 per cent?

16 A. Yes sir.

17 Q. And the following mention "A" pilots,  
18 there is a mention of special pilots, Section 1, and  
19 I cannot read what follows. Schedule A I think.

20 A. I don't know, this is the reclassification  
21 of special pilots which has been in force in 1960.

22 Q. And you mention assistant pilot.

23 A. This is the second pilot. This is what  
24 in the Montreal District they call the winter tariff.

25 Q. Oh I see, this is one where you have  
26 two pilots aboard a ship during the winter?

27 A. Exactly.

28 Q. Does this represent a fee for two pilots,  
29 for the second pilot?

30 A. Right.







1 French

2 Q. You mention special pilots, could you  
3 explain this please?

4 A. Before 1960 companies had special pilots  
5 who were paid regularly and personally by the companies.  
6 The Government had nothing to do whatsoever with the  
7 collection of those fees. The fees were paid directly to  
8 the pilot and this is why we had to put approximate  
9 in front of the figure.

10 Q. Where did you get those figures?

11 A. As you can see it is approximate.

12 The pilot was working for a company. Well if he made  
13 100 trips during the year, we could consider that he  
14 made 90 or 80 as a special pilot, whether he was a  
15 regular employee for a company, and the other one was  
16 employed half time by the company, we allowed him 50 per  
17 cent or 20 per cent as a special pilot. We figured  
18 this exactly as possible.

19 THE CHAIRMAN: Under the item "pilot class A"  
20 the amount which you have here is the overcharge?

21 THE WITNESS: Yes. This is the charge of  
22 \$25.00 for the pilot.

23 THE CHAIRMAN: In these cases it is not the  
24 full pilotage?

25 THE WITNESS: No, it is only the \$25.00 charge.

26 THE CHAIRMAN: But for special pilots the  
27 amount which you have there is the total pilotage fees?

28 THE WITNESS: No sir, it's the overcharge.  
29 The bonus, different amounts which are paid additionally.

30 THE CHAIRMAN: In addition to the pilotage fees?





1 French

2 THE WITNESS: Yes.

3 Q. Are you aware of the additional amount of  
4 the bonuses which were paid to special pilots?

5 A. Well I think to a certain extent I was  
6 aware of it but this varied. They had \$15.00 or \$20.00.  
7 Maybe some had more.

8 Q. And the figures which you indicate here,  
9 is this based on \$15.00 or \$20.00?

10 A. I think it was based on \$20.00.

11 Q. Now would you please explain the following  
12 item "meal allowance"?

13 A. These amounts have been figured out on  
14 bills that boarding houses, hotels or pilots submit for  
15 their expenses, for supplementary meals which they took  
BB2 16 either in Port Alfred or Les Escoumains or Father Point.

17 Q. Is this according to the rate?

18 A. No, there is an agreement dating from  
19 1915, I think the Government, as much as I can remember  
20 was paying 50 cents per meal to the pilots.

21 Q. Would this be written? Would you have  
22 a written copy of this agreement somewhere in your file?

23 A. I don't know. No, I don't think so.  
24 I haven't seen it.

25 Q. If it dates back from 1915, this is  
26 an old agreement.

27 THE CHAIRMAN: Excuse me, to come back to the  
28 same subject as before, I see consequently that companies  
29 who before were using special pilots, who now use either  
30 class B pilots or class A pilots, according to the case,





1 French

2 pay presently less than they used to pay for the special  
3 service?

4 THE WITNESS: Yes, because they don't have as  
5 many ships.

6 THE CHAIRMAN: They have less ships now?

7 THE WITNESS: Because right now in class A,  
8 it's liners, passenger ships over 10,000 tons I think,  
9 and before they were ships of 3,000 tons and they were  
10 using special pilots.

11 THE CHAIRMAN: That is why I said a while ago  
12 now taking the class A and class B pilot as a consequence  
13 the companies, according to the figures which we see here,  
14 it costs them about three times less than before?

15 THE WITNESS: Just about.

16 THE CHAIRMAN: I am talking about extra. I  
17 am not talking about the basic pilotage fee.

18 Q. If you want, we will come back to meals.  
19 You say that the Government was paying 50 cents per  
20 meal to each pilots. For the meals taken in which place?

21 A. Point au Pere, Les Escoumains, Port  
22 Alfred and Chicoutimi.

23 Q. So it was 50 cents per meal. There is  
24 no question of room?

25 A. No. The Government was not making a  
26 deduction for room.

27 Q. So this was paid from which funds?

28 A. This was paid by the Government.

29 Q. By the Government directly?

30 A. Directly. Accounts were submitted to the







1 French

2 Government by boarding houses and other accounts were  
3 submitted by the pilots who were receiving payments from  
4 the Government.

5 Q. Did you have anything to do with this  
6 payment?

7 A. No. Another accountant was dealing with  
8 that.

9 Q. Now does this still exist?

10 A. No, this has been discontinued since  
11 last year.

12 Q. Now if you do not mind, we will go to the  
13 next section of your document which is called "individual  
14 earnings". The first item has a total, net total of  
15 vessels served. Now you have mentioned here only for  
16 1958 and 1959. Why don't you have them for 1960, 1961  
17 and 1962?

18 A. Because the accounting system has been  
19 modified and the Department of Transport has informed  
20 us not to take this into account because they can get  
21 this information from the I.B.M. in Ottawa.

22 Q. So you don't calculate that?

23 A. We calculated this but we don't keep any  
24 record of it.

25 Q. Now the aggregate number of trips, what  
26 does that represent?

27 A. This is the number of pilotages during the  
28 season.

29 Q. Does this include movages of ships in  
30 the harbour?





1 French

2 A. No. This includes only pilotage.

3 Q. What do you mean by "pilotage"?

4 A. I am talking about the movage of a ship  
5 which would be longer than a movage, that is a distance  
6 of 30 or 40 miles in the case of trips between Quebec and  
7 Les Escoumains or Quebec and Port Alfred or Quebec, and  
8 Riviere du Loup. This is a pilotage and from Riviere  
9 de Loup until the high sea.

10 Q. In pilotage this would appear here in  
11 aggregate number of trips, these would be two trips,  
12 one from Quebec to Riviere du Loup and one from Riviere  
13 du Loup to sea and you say that trips of more than forty  
14 miles are considered as one pilotage?

15 A. As part of pilotage. I think that around  
16 40 miles we give one-third a turn and 70 miles I think  
17 is two-thirds are full pilotage for more than 80 miles.

18 Q. But in aggregate number of trips you  
19 give 7,359.

20 A. Well to be more exact, 7,359 would be  
21 the number of accounts for pilotage because it has happened  
22 in cases, for instance, that we would put together two  
23 or three parts of different trips to make one trip so  
24 to be exact the figure which is given is the number of  
25 bills which have been sent on the pilotage.

26 Q. So if you sent a bill for one-third of  
27 a turn, would this be included as one unit in this figure  
28 or as one-third?

29 A. Here it is included as one bill, one  
30 account.







1 French

2 Q. Now movages of ships in the harbour are  
3 not included here?

4 A. Movages of ships? No.

5 Q. Would you have the figures on the movages  
6 of ships?

7 A. Somewhere.

8 Q. Would you have those figures somewhere?

9 A. I don't know if we have it.

10 Q. Do you have it in the papers I gave you?  
11 You can check in your documents. What about the other  
12 documents I gave you?

13 A. The number of movages could be found on  
14 another report which is probably at the office. I don't  
15 have it here.

16 Q. Could you bring this document with you  
17 tomorrow please?

18 A. Yes.

19 Q. Do you think that this will indicate the  
20 number of movages for the year 1958 to 1962 inclusive?

21 A. Well maybe not 1958 and 1959 but at least  
22 1960, 1961 and 1962.

23 Q. Now the following item is actual number  
24 of pilots.

25 A. Well this is the number of licensed pilots  
26 which there is or which there was.

27 Q. On which date?

28 A. On December 31st of the given year.

29 Q. On the 31st of December of the given  
30 year and the next item number of effective pilots. Could





1 French

2 you tell us what you mean by number of effective pilots?

3 A. Number of effective pilots --

4 Q. Could you please speak louder because  
5 lots of people would like to know what this is.

6 A. The number of effective pilots includes  
7 the number of actual pilots minus the total on leave  
8 or vacation which have been taken during the month or the  
9 year divided by the number of days of pilotage. At the  
10 end of the month if we have three hundred and ten  
11 absences and 31 days in the month, we state there was ten  
12 effective pilots less during that month.

13 THE CHAIRMAN: To take an example, if you have  
14 four pilots and in the period of four weeks one was  
15 taking a week off and the other three are working, you  
16 have four pilots on your list but three effective  
17 pilots?

18 THE WITNESS: Yes.

19 THE CHAIRMAN: Because to be effective there  
20 are to do the work, there are only three?

21 THE WITNESS: That is quite right.

22 Q. All right, could you explain how you come  
23 to 69.55 and 71.3?

24 A. Well, these figures, 55 of pilots and  
25 3 of pilots includes periods of nine months or twelve  
26 months and we have taken the total of absences during  
27 the month and at the end of the year we have added  
28 the total of each month and we have added the total of  
29 each month and we have divided either by nine or by  
30 twelve according to the case. I did not prepare this





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Lessard, dir.ex.  
(Jacques)

6097

1 French

2 item but this is what I have been informed.

3 Q. Who prepared this?

4 A. It must be Mr. Moheux.

5 Q. All right, so we will ask him for more  
6 explanation on this. The average gross earnings per  
7 effective pilot, could you please explain this item to  
8 the Commission?







1 French

2 A. We have taken the total income gross for  
3 the year.

4 Q. This was divided by 77 pilots and this  
5 gave you the average gross earnings per effective pilot?

6 A. Yes sir. Well this was divided by the  
7 effective pilot, 69.55.

8 Q. And the pension fund is not deducted from  
9 this?

10 A. No. The pension fund is not. There would  
11 be ten per cent to be taken away from there.

12 Q. And the number of trips per effective  
13 pilot, this would be in the case of 1962, 7359 trips  
14 divided by 69.56 pilots which would be 105.8 trips per  
15 effective pilot.

16 THE CHAIRMAN: In the average gross earnings  
17 do you also include the movages?

18 THE WITNESS: Yes.

19 Q. Now in your calculations of the effective  
20 pilots, you did not do that. And you cannot give us  
21 more explanation on this item?

22 A. No.

23 Q. Thank you sir. Just a minute please.  
24 This morning we have discussed the question of ships  
25 coming down from Montreal which have docked in the  
26 estuary of the St. Charles River and the Quebec river  
27 pilots which are on board the ship do not want to  
28 dock in Quebec. Are you aware of this problem?

29 A. I am more or less aware of it. When  
30 I receive an order for a movage, I consider that the





1 FRENCH

2 work has been done and I charge accordingly.

3 Q. Is there a way of tracing through your  
4 cards the case when the pilot of Montreal left the ship  
5 in the harbour of Quebec so that a Quebec pilot would take  
6 the ship to dock?

7 A. I think it is not possible.

8 Q. Excuse me sir?

9 A. Not possible.

10 Q. Not possible? Why?

11 A. Because when they receive a request for  
12 a movage, they enter the request for a pilot to remove  
13 a ship from such and such a place to such and such a place.  
14 I am sure in the record there was nothing which indicates  
15 that this pilot is requested to take the place of such  
16 other pilot who did not want to go to dock.

17 Q. But by checking the hours of arrival of  
18 ships in the Harbour of Quebec on the card of the pilot  
19 from Three Rivers to Quebec and if you read this jointly  
20 with the card of the Quebec pilot who takes the ship to  
21 dock, would it be possible to find out the number of trips  
22 there were in that situation?

23 A. I think that it would be very difficult  
24 because a ship can arrive from Montreal at three o'clock  
25 in the morning and go to pier at eight o'clock in the  
26 morning and when it docks at eight o'clock it is difficult  
27 to tell or to know why the pilot, the Montreal pilot left  
28 the ship; if the Captain sent him away or the pilot did not  
29 want to take the ship to dock.

30 Q. Now did it happen that shipping companies







1 FRENCH

2 which have been in this situation of having to take  
3 Quebec pilots to dock their ship, to dock in the estuary  
4 of the St. Charles River, have refused to pay the bills?

5 A. There are none which have refused to pay.

6 Q. But did some of them make any comments?

7 A. A couple of times there have been comments  
8 but the bill has always been paid.

9 Q. What kind of comments were made?

10 A. Well, the kind of comments, it has happened  
11 that the agent said the Montreal pilot should have taken  
12 the ship to dock. Now the pilot in one case which I  
13 remember went to see the agent and said the Captain signed  
14 my card and he was agreeable to see me leave the ship.

15 Q. Now these comments which were made by  
16 agents, were they made in writing or orally?

17 A. By phone.

18 Q. Are those Quebec agents?

19 A. Yes.

20 Q. Were those comments made to you personally?

21 A. Once or twice.

22 Q. Those times when did this happen?

23 A. Well once was about two weeks ago.

24 Q. Yes, and the other?

25 A. The other was last year, I think.

26 Q. Now in your function as accountant, are you  
27 aware of the fact that there have been other complaints,  
28 complaints other than those which you have just mentioned?

29 A. Not too much.

30 Q. Would Mr. Maheux be aware of this?





1 FRENCH

2 A. He might have heard of it. I don't know.

3 Q. Thank you sir.

4

5 CROSS-EXAMINATION BY MR. LALONDE:

6

7 Q. Mr. Lessard, in Exhibit 588 which has been  
8 produced before the Commission, as a matter of fact, the  
9 next tonnage is indicated for 1958 and 1959 but not  
10 indicated for the following years and you have said  
11 because Ottawa informed you they could get this information  
12 from IBM computers?

13 A. Yes, sir.

14 Q. Have you since 1960 been informed of a  
15 total result?

16 A. No, sir.

17 Q. I imagine you didn't ask for it either?

18 A. No.

19 Q. This hasn't been sent to you directly?

20 A. No, sir.

21 Q. If I understand properly from the total  
22 number of trips -- you said that these were the number  
23 of bills or the number of pilotage accounts?

24 A. Number of bills.

25 Q. Number of accounts?

26 A. That is right.

27 Q. This would mean you would have mentioned  
28 examples of a case of a trial trips, for instance, that  
29 you could have several trips in the same account?

30 A. Several part trips.





1 Q. What do you call a part of a trip, would  
2 you call part of a trip if a ship went from Louzan to  
3 Orlean Island and came back to Louzan?

4 A. That would be two parts of a trip which  
5 would be included in the same account.

6 Q. This will be two halves?

7 A. Two-thirds of a trip.

8 Q Two-thirds of a trip, all right, one-third  
9 of a trip in each direction?

10 A. That is right.

11 Q If, let us say, we came back a few  
12 hours after that time, we came back and have another  
13 trial trip then does that go on the same account or would  
14 you have a separate account?

15 A. Ordinarily when we have a trial trip we  
16 try to have the smallest number of accounts as possible.  
17 We will take different mileage to get an approximate  
18 amount of 70 or 75 miles to charge two-thirds of one  
19 trip.

20 Q. All right, so you would let them accumulate  
21 until such time it represented at least two-thirds of a  
22 trip?

23 A. Yes, sir.

24 Q. Do these trial trips take place frequently  
25 during the year?

26 A. No, not often, rather rare items.

27 Q. Now, in a case like this, I imagine the  
28 pilot would go to Louzan to take the trip, would make  
29 that trip, would come back and maybe go from Louzan to  
30 Isle D'Orlean and come back again. It could happen this







1 FRENCH

2 could take quite a bit of time, even if there is not a  
3 long trip as far as mileage is concerned, it might be  
4 a long time.

5 A. No, if you come to Louzan, the pilot is  
6 supposed to leave the ship and another pilot would come  
7 on board if the ship comes back to Louzan. Trial ships  
8 are not usually long. When they are long the companies  
9 ask for two pilots.

10 Q. Two pilots in this case?

11 A. Yes.

12 Q. Does it happen often that they ask for two  
13 pilots?

14 A. It happened last year and it happened this  
15 year.

16 Q. Suppose that you have a ship leaving  
17 Les Escoumains going to Port Albert that means it stops  
18 for a short time at Port Albert and comes back to Quebec  
19 with the same pilot on board. I understand this happens.

20 A. Quite often.

21 Q. Quite often. In such a case do you send  
22 two pilots or one pilot?

23 A. Yes, two pilots.

24 Q. So in the total number of trips which I  
25 can see here, the only places where you would have what  
26 we can call several parts of a trip would be in a trial  
27 trip.

28 A. Only trial trips.

29 Q. Movages on ships in the Harbour of Quebec,  
30 or somewhere else, Port Albert, Chicoutimi, they are the





1 FRENCH

2 same movages?

3 A. Yes.

4 Q. Any other stop?

5 A. Riviere du Loup.

6 Q. Your movages in this wouldn't appear as a  
7 trip?

8 A. No.

9 Q. They would be indicated as movages?

10 THE CHAIRMAN: I understand you still send a  
11 bill?

12 THE WITNESS: O yes, we send a bill, but as I am  
13 explaining to Mr. Lalonde it is audited as a movage. In  
14 movages audited as a movage, and a pilotage as a pilotage.

15 Q. This is the number for pilotage?

16 A. Yes.

17 Q. Ships movages once more don't appear here  
18 in the figure \$7,359.00 for 1962?

19 A. No.

20 Q. When you calculated the number of trips,  
21 plus a large item we find on this list, you have divided  
22 \$7,359.00 by 69.65?

23 A. Yes, sir.

24 Q. In these movages -- let us take the Riviere  
25 du Loup -- in a case like this I imagine you send a pilot  
26 from Quebec to Riviere du Loup?

27 A. No, in Riviere du Loup, most of the time  
28 when the pilots have to dock due to tide he stays aboard  
29 the ship and waits for favourable conditions to dock and  
30 docks the ship himself.







1 FRENCH

2 Q. Has there been cases where you would send  
3 a Quebec pilot to Riviere du Loup to do some movages?

4 A. No, I don't remember those movages. It  
5 happened Chicoutimi.

6 Q. It happened at Chicoutimi?

7 A. Sometimes and in Port Albert. It happened  
8 sometimes but usually the pilot which is going to make  
9 the movage is the pilot who will dock.

10 Q. The pilot -- if this happens you have to send  
11 a pilot from Quebec to Port Albert to make the movage  
12 there?

13 A. Yes, sir.

14 Q. You talk about pilots on a leave or  
15 enforced absence. Is it not true that this includes all  
16 the cases of absence. If a pilot is suspended by the  
17 Pilotage Authority he is considered as absent if he is  
18 sick he considered absent?

19 A. Yes.

20 Q. Any absence is inscribed as an absence when  
21 you are calculating the number of effective pilots. Are  
22 you the person who does this type of accounting of the  
23 pilots?

24 A. No.

25 Q. Who started that? Was this in practice  
26 when you started in Quebec?

27 A. Yes. In 1956 there was a pilot absent  
28 for one reason or another.

29 Q. Did you make the calculations concerning  
30 effective pilots in that time? When did you start





1 FRENCH

2 counting these effective pilots?

3 A. Around 1960, 1961.

4 Q. You have calculated retroactive since we  
5 find them in 1958?

6 A. Yes.

7 Q. In 1960, that is when you received  
8 instructions to do it on the basis, the number of effective  
9 pilots on the basis mentioned by you?

10 A. Yes.

11 Q. Do you recall these instructions, was it  
12 written instructions?

13 A. No, I don't have those.

14 Q. Did someone tell you that he had received  
15 them?

16 A. I think it was the supervisor who received  
17 the request.

18 Q. Mr. Emile you mean?

19 A. Mr. Emile or perhaps Allard.

20 Q. You are the person doing it now?

21 A. Yes, sir.

22 Q. You don't know why the work of the pilots  
23 is calculated on this basis?

24 A. There are various opinions on the matter.

25 Q. Personally you don't know the reason why?

26 A. No, sir.

27 Q. Opinions can vary. Do you have an opinion?

28 A. Well, I have one opinion. Somebody  
29 could have another.

30 Q. Could you give us your opinion on this





1 FRENCH

2 matter?

3 A. Well, the Department wants to find out  
4 if the pilots have done as much as they say they do.

5 Q. Supposing you have a pilot who is absent  
6 and say he is sick for three days during a month and you  
7 have described him as being absent and this pilot comes  
8 back to work and he does a greater load work than his  
9 colleagues when he returns and catches up with the delay  
10 that he had during these three days of absence?

11 A. Yes, he can even do more if he wants.

12 Q. What would happen if such a case would be  
13 at the end of the month the pilot who has been absent for  
14 one reason or another, even suspended might arrive at the  
15 end of the month and by doing additional effort on limited  
16 time do as many trips and perhaps even more than his  
17 colleagues?

18 A. Not in case of suspension.

19 Q. In case of his suspension he couldn't  
20 catch up?

21 A. But in case of sickness, yes.

22 Q. Let us take the case of sick leave or any  
23 authorized absence. In such a case could he catch up with  
24 his colleagues and do the same number of trips as his  
25 colleagues at the end of the month?

26 A. Yes, sir.

27 Q. You have had a long experience in pilotage  
28 and administration in general. In your opinion are men  
29 who have done the same number of trips at the end of the  
30 month -- as their colleagues -- should they be calculated







1 FRENCH

2 as being entitled to the same income as those who had  
3 been on duty the whole month but who haven't made more  
4 trips?

5 A. Yes, absolutely.

6 Q. In your opinion, if you consider the  
7 whole month, don't you arrive at the conclusion that a  
8 pilot who is sick and who has caught up with his turns that  
9 he should be earning as much as his colleagues during that  
10 absence?

11 THE CHAIRMAN: Is that not the case now?

12 THE WITNESS: The pilot is entitled to catch  
13 up with his turns.

14 THE CHAIRMAN: Do you consider his absence in the  
15 calculations?

16 THE WITNESS: No, in the Montreal districts  
17 calculations are not made the same way.

18 Q. Now, you see, that is not what is being  
19 done at the present time. In the calculation of 69.55,  
20 if the pilot who is sick three days during that month  
21 catches up with his turns at the end of the month when  
22 you are calculating the effective pilots, is it not true  
23 that you are going to calculate that there wouldn't have  
24 been 77 pilots on duty, but 77 pilots less three days of  
25 absence?

26 A. Yes, sir.

27 Q. Would the figure we have of 69.55 against  
28 77 real live pilots, let us say, one could  
29 imagine that the 77 pilots have done the same number of  
30 trips at the end of the month. According to what you





1 FRENCH

2 have said and you have given the same throughout the month --  
3 instead of that you would have at the end of the month  
4 only 69.55 effective pilots?

5 A. To read the figure of 69.55 and 77 pilots,  
6 it is not certain all do the same thing because the  
7 difference is too great.

8 Q. Let us say 74 effective pilots during the  
9 month?

10 A. Well, that is close enough to 77 -- amount  
11 of sickness, amount of absence -- you have more or less  
12 the same number of pilots.

13 Q. So, the system as proposed here leads to  
14 the situation whereby you have a figure for effective pilots  
15 which doesn't represent really the work given by the  
16 wheel of the pilots in that district?

17 A. Yws, sir.

18 Q. In your opinion all pilots who have made  
19 the same number of trips and given the same effort share  
20 equally in the income of that month?

21 A. Yes, sir.

22 Q. Would this sort of calculation -- I don't  
23 want to say what is being done in practice at the  
24 Corporation, but to examine this exhibit and the calculations  
25 that you give the average gross income per effective  
26 pilot -- this calculation is based on the number of pilots,  
27 subtracting all absences independent of the fact that  
28 these pilots might or might not have caught up with  
29 their turns and made an additional effort?

30 A. Yes, sir.







1 FRENCH

2 Q. You are an accountant and you have  
3 experience in the field and you have lived in Quebec  
4 for quite a while. Doyou know any other profession --  
5 any other trade where one calculates the average gross  
6 income?

7 A. No.

8 Q. Have you ever had a single case where  
9 income is calculated that way?

10 A. That is when people write up their income  
11 tax return.

12 Q. To your knowledge, does this ever happen?

13 A. No, sir.

14 THE CHAIRMAN: Just on this question, to correct  
15 the example I gave, the effective pilots does not  
16 include annual leave?

17 THE WITNESS: Not in Quebec. There is no  
18 annual leave in the winter.

19 THE CHAIRMAN: What about the winter?

20 THE WITNESS: They are supposed to be on duty,  
21 supposed to be on duty even during the winter.

22 Q. Now, we have calculated it on a monthly  
23 basis. It is the same way in winter. The most active  
24 part of the navigational season -- what period is covered  
25 by this effective pilot?

26 A. I don't know exactly. I think that it is  
27 from the first of April to the 31st of December.

28 Q. We will ask Mr. Rousseau to check that.  
29 If I understand correctly in the gross income everything  
30 is included, including movages. If someone wanted to





1 FRENCH

2 calculate the income per trip he couldn't divide 105.8  
3 by the average gross earnings and have a valid result.

4 A. No.

5 Q. I see. These are gross income -- nothing  
6 is new -- no approximation is made in order that you  
7 establish a net approximate income?

8 A. No, because the pilots are supposed to  
9 manage their administration expenses altogether and we  
10 are not aware of the amounts.

11 Q. And all the trip expenses from Quebec to  
12 Port Albert or Les Escoumains or any other place, and the  
13 living expenses at Port Albert and other places -- you  
14 don't take them into account? You don't know them?

15 A. No, because we don't know what the expenses  
16 are.

17 Q. We limit ourselves only to the gross  
18 income?

19 A. Yes, sir.

20 Q. Can you give any reason why the gross  
21 income is not given by real pilots. You said 77 pilots  
22 in this exhibit.

23 A. One hasn't worked for two years, therefore  
24 this one shouldn't have the same amount of profit as one  
25 who has worked all year. Some have worked for six months  
26 and others have been absent.

27 Q. I want to know if you know why the gross  
28 income is not divided by 77 instead of using 65.65.

29 A. I don't know, sir.

30 Q. To your knowledge, you have never seen that





1 FRENCH

2 one-third pilot or 65th of a pilot or two-thirds a pilot  
3 come to your office?

4 A. About three-quarters of a pilot I might  
5 have seen.

6  
7 --- (Uninterpreted comment brought by Mr. Lalonde)

8  
9 Q. You mentioned the case of a pilot who was  
10 absent from work for two years?

11 A. Yes.

12 Q. Can you give the reason for his absence?

13 A. He can't use one of his legs. He is  
14 sick. He is considered as sick.

15 Q. Is that as a result of an accident?

16 A. Yes, sir.

17 MR. LALONDE: Thank you very much, sir.

18

19 CROSS-EXAMINATION BY MR. BRISSET:

20

21 Q. You told us in 1960 you received  
22 instructions to prepare the statistics that you mentioned  
23 on effective pilots. Are you sure that this system  
24 started to function in that year?

25 A. I think so, but I am not sure.

26 Q. Were you chief accountant at that period?

27 A. Yes, sir.

28 Q. Is it possible for that system to have  
29 existed before 1960?

30 A. I don't think so, before 1960.







1 FRENCH

2 Q. Is it true to say that before 1960 there  
3 was another system containing statistics determining  
4 the income of pilots for the District; is that correct?

5 A. That is correct.

6 Q. According to the system which was there  
7 before 1960 you indicated the individual income of each  
8 pilot in relation to the actual work he did?

9 A. I think we indicated what each pilot had  
10 earned and what he had put in the pension fund.

11 Q. This was established in relation to the  
12 actual work done?

13 A. Yes, sir.

14 Q. And in 1960 this system was abandoned?

15 A. Yes, sir.

16 Q. Do you know why?

17 A. Because we complained that we had too  
18 much work and it wasn't necessary to do that because  
19 Ottawa had an IBM system which could compute that and we  
20 could obtain that information from Ottawa?

21 Q. Did you prepare the document as Exhibit  
22 589? Is it not true that we are compelled to calculate  
23 the actual income of each pilot of a District?

24 A. I don't understand your question.

25 Q. Do you have to in order to prepare the  
26 statistics which appears in Exhibit 589 to calculate the  
27 income of each pilot of a District?

28 A. We have individually and we have the total.

29 Q. In other words, is it correct to say that  
30 anything that happened in 1960 -- all that happened in





1 FRENCH

2 1960 is a change in the way of how you compiled statistics?

3 A. Well, it is a change in statistics, but  
4 the total remains the same as in 1958-1959.

5 Q. If you look at page 2 of Exhibit 589.

6 MR. LALONDE: I am sorry, but we don't have a  
7 page 2.

8 Q. Let us say page 1. You indicate under  
9 the last but one item, the gross income of pilots per  
10 effective pilot. Basing yourself on the system which you  
11 followed in 1959, that is before 1960 -- could you not  
12 obtain the same results?

13 A. Quite close to the same results.

14 Q. I should like to show you this document  
15 and ask you if these are statistical reports that you used  
16 to prepare before 1960? Is that the formula used at  
17 that time?

18 A. Yes sir, that was the formula applicable  
19 before 1960.

20 Q. So the document you have in front of you  
21 shows income of each of a District during the navigation  
22 year of 1959?

23 A. Yes.

24 Q. Could we file this document as Exhibit No.  
25 590.

26 A. Statement of earnings.

27 MR. JACQUES: Exhibit 590 a statement of earnings  
28 of pilots for the pilotage harbour of Québec during the  
29 year 1959, the age, residence and amount of pilotage  
30 earnings, whether employed in special services or tour







1 FRENCH

2 de role.

3  
4 ---EXHIBIT NO. 590: Statement of earnings of pilots in  
5 1959.

6 Q.. Will you tell me if it is correct that  
7 this document shows what has been the  
8 income of each pilot concerning the trips that they have  
9 made and secondly concerning the movages that they have  
10 done?

11 A. Yes, sir.

12 Q. Now, then, will you examine briefly this  
13 document and see if I am correct to say that the number  
14 of trips in an average that were done is between 100 and  
15 110 trips? That seems to be the average of that year?

---





1 FRENCH

2 A. Yes sir.

3 Q. Is it not correct also by referring to  
4 all pilots who have done their required number of trips,  
5 between 100 and 110 trips, each of them has earned  
6 personal income, pilotage expenses, between \$14,000.00  
7 and \$18,000.00?

8 A. I don't find eighteen. I find seventeen.

9 Q. Is it not correct too, that to get the  
10 totals you have to add the two columns, trips and then  
11 the movages?

12 A. Yes.

13 Q. So, if you add up what this particular  
14 pilot has earned for these trips, the amount for trips  
15 and movages you will get more than \$18,000.00?

16 A. Yes, you are right. To be more exact it  
17 could go up \$20,374.40.

18 Q. So, in one case you have noticed that  
19 one pilot has earned over \$20,000.00?

20 A. Instead of eighteen, it's \$18,000.00 and  
21 something.

22 Q. So my first figure was correct, \$18,000.00?

23 A. Yes.

24 Q. I should like to call your attention to  
25 Exhibit 589 which indicates that in 1959 the new  
26 statistical system gives a figure of \$15,872.52 for  
27 effective pilots. You don't know here whether you have  
28 a half a pilot or three-quarters of a pilot?

29 A. Well this is just an average.

30 Q. Round figures?





1 FRENCH

2 A. We calculated it on the basis of 103  
3 instead of 102.8.

4 Q. Now lets go back to Exhibit 589, under  
5 item "A" pilot special charges, will you tell me if the  
6 \$25.00 charge made concerning service rendered by the  
7 pilot class "A" is given to the pilot himself or is this  
8 paid to the Association together with the other income  
9 coming from the District?

10 A. It is given to the Association together  
11 with the other amounts coming from pilotage dues.

12 Q. Not to the pilot?

13 A. No sir.

14 Q. Now all pilots in the Quebec District this  
15 year are members of the Association, you have mentioned  
16 as being the one to whom you give the money?

17 A. All pilots are members of the Quebec  
18 Association, I believe.

19 THE CHAIRMAN: Are you talking about the  
20 corporation?

21 Q. No, the Association to whom the cheques  
22 are made.

23 (THE INTERPRETER: Mr. Lalonde said that they  
24 are.)

25 Q. Concerning the 10% pension fund, you give  
26 this 10% total amount of income to the Corporation at that  
27 time?

28 A. Yes sir.

29 Q. Are all members of the Association, that  
30 is to say the Quebec pilots, are they members of the







1 FRENCH

2 Corporation?

3 A. I don't think so.

4 MR. LALONDE: I should like to explain. There  
5 is a legal question here which should be explained. In  
6 the Quebec District there are three organizations. One  
7 is the Corporation for the Harbour of Quebec, upstream,  
8 downstream I mean, established by a law in 1860 and that  
9 Corporation existed until the decision of the Paquette Case  
10 at the beginning of the century, 1920 and that Corporation  
11 was entrusted when the Trinity House was abolished.

12 And then in relation to the administration of the  
13 pension fund and according to the law still in effect, the  
14 Quebec Corporation pilots and downstream, they are all  
15 members of this Corporation which exists only for the  
16 pension fund and the cheques are made to the name of this  
17 Corporation of Quebec for the Harbour Pilots and downstream,  
18 which is an entirely separate Corporation from the  
19 Corporation of pilots of Lower St. Lawrence.

20 There is also the Association of licensed pilots  
21 for the Harbour of Quebec and downstream. This was  
22 created as of now under the Corporation laws in 1924 and  
23 also includes all the pilots of the Quebec District. In  
24 addition, thirdly, there is a Corporation of Lower St.  
25 Lawrence Pilots which was established in 1930 not by law  
26 like this case for the Corporation of the Harbour of  
27 Quebec and downstream but this is an Association incorporated  
28 under the second part of the laws of companies and it  
29 receives no cheque on any fees which are collected by the  
30 pilotage authority. The situation is that a 10% of the





1 FRENCH

2 income is given to the old Corporation of Quebec, pilots  
3 for the Harbour of Quebec and downstream by virtue of  
4 the law of May 1860 and the balance is paid to the  
5 Association of Licensed Pilots for the Harbour of  
6 Quebec and downstream who formed an Association in 1924.

7 Q. To clarify the answer of the witness to  
8 the question which was asked to him in the beginning of  
9 his testimony, we could maybe insert in the record that  
10 the cheque representing the 10% is made to the order of  
11 the Corporation?

12 MR. LALONDE: Corporation of Pilots for the  
13 Harbour of Quebec and downstream.

14 Q. All right, thank you very much.

15 THE CHAIRMAN: There will certainly be other  
16 questions to the witness. We will now adjourn for a few  
17 minutes.

18

19 ---Short Recess

20

21 ENGLISH

22 MR. JACQUES: My lord, my attention was drawn  
23 to Exhibit 589 by the council for Department of Transport.  
24 This is the order in council concerning the tonnage of  
25 ships. The names, Israel and Venezuela were deleted by  
26 orders in council in 1959.

27

28 CROSS-EXAMINATION BY MR. MAHONEY:

29 English

30

Q. Mr. Lessard, my friend Mr. Lalonde was







1 ENGLISH

2 enquiring of you as to the system by which you calculated  
3 the effective number of pilots. Now as I understand, the  
4 absences aside from suspensions, the absences are supplied  
5 to your office by the pilots. Is that not right?

6 A. By the dispatcher.

7 Q. Now, Mr. Lalonde was saying to you that  
8 when a pilot who has been sick or has been absent for  
9 some authorized reason returns to duty, he is able to  
10 catch up on his work. Is that right?

11 A. Yes sir.

12 Q. Is it not true that during the period  
13 when he is catching up on his trips, the remaining pilots  
14 are actually doing less work than during the period when  
15 he was absent?

16 A. Yes, sir.

17 Q. Correct. It would be fair to say, would  
18 it not, that the number of effective pilots as set out  
19 in Exhibit 589 is a fair statement because it represents  
20 the number of pilots who are actually available for duty  
21 over the course of the year?

22 A. Yes, sir.

23 Q. And the catching up process by the  
24 individual pilots is merely an internal arrangement  
25 among the pilots who allow him to increase his average  
26 revenue. Is that not so?

27 A. Yes, sir.

28 Q. Again referring to Exhibit 589, could  
29 you tell me if this exhibit as filed, is in the same  
30 state as it was originally prepared? Is there anything





1 ENGLISH

2 missing from this exhibit?

3 A. No, there is nothing. The meal allowances  
4 have been added and the special pilots, the approximate  
5 amounts, have been added. There is nothing deducted.

6 Q. For what purpose was this exhibit originally  
7 prepared?

8 A. This was requested by the Department to be  
9 prepared in this way.

10 Q. As originally prepared was it not just  
11 two pages?

12 A. When it was originally prepared it was not--  
13 meal allowances and the special pilots were not included.

14 Q. As originally prepared did it not contain  
15 other figures setting out the pilot work load and the  
16 average expenses claimed?

17 A. No. For 1959 and 1958 these were not  
18 prepared at the time this statement was made.

19 Q. Did you prepare this statement yourself?

20 A. For 1962, yes.

21 Q. For 1962 -- the whole -- the exhibit as a  
22 whole, comparison of years, did you prepare it yourself?

23 A. Yes, sir.

24 Q. And when did you prepare it? In what year?

25 A. I prepared in 1963.

26 Q. Recently then?

27 A. Yes.

28 Q. In the last few months and you forwarded  
29 it to the Department in Ottawa?

30 A. Yes, sir.





1 ENGLISH

2 Q. Again as you originally forwarded it to  
3 Ottawa it did not contain a break-down of the average  
4 work load of the pilots nor a statement of the average  
5 expenses claimed?

6 A. The average work load was not included in  
7 the original. The original was including only money.

8 Q. What about average expenses claimed?

9 A. This was requested later on.

10 Q. So there was another document prepared  
11 later?

12 A. I think so. The first part excluded the  
13 special pilot and meal allowance. It was prepared in  
14 January of the following year and this statement was  
15 prepared in 1963 including all the information with  
16 special pilots and the meal allowances.

17 Q. Did the later document which was prepared  
18 contain figures other than these? In addition to these?

19 A. It was including these figures except, I  
20 think, those below the totals.

21 Q. Do you have a copy of that other document?  
22 The later document?

23 A. Maybe in the office. I don't know.

24 Q. Could you supply that document to the  
25 Commission?

26 A. Yes. For 1960, 1961 and 1962.

27 Q. Now again with respect to Exhibit 589,  
28 I note that between 1958 and 1962 under the heading,  
29 "tonnage" there is a considerable increase in revenue.  
30 Is that not so?







1 ENGLISH

2 A. Yes, sir.

3 Q. Now, that increase in revenue under that  
4 heading is attributable to much larger vessels in the  
5 district or is it attributable to some other reason?

6 A. No, I would say that the increase is due  
7 to the fact that the maximum tonnage was increased from  
8 7,500 to 15,000 tons.

9 Q. That is, there was an adjustment in the  
10 tariff?

11 A. Yes, 1960 or maybe 1959 that they changed  
12 the maximum tonnage. The maximum tonnage had been  
13 increased from 7,500 to 15,000 tons.

14 Q. But in addition to that change in the  
15 maximum tonnage there were overall revisions, upward  
16 revisions of the tariff were there not?

17 A. No. The tariff was the same.

18 Q. The whole of this increase then was, or  
19 a very large part of it is attributable to the change  
20 which was made approximately in 1960 by which the tariff  
21 for larger vessels was increased. Is that correct?

22 A. Yes.

23 Q. Under the item which is headed, "without  
24 pilots" I think you said that these figures are made  
25 up from barges which are charged half tariff and which  
26 do not take pilots. Is that correct?

27 A. Yes, sir.

28 Q. Does that account for the whole figure  
29 or are there any other circumstances which exist in that  
30 area? That is, are these all made up of barges of that





1 ENGLIS H

2 type or are there ships included in this?

3 A. Most of them are Canadian barges working --  
4 it might have included a few ships.

5 Q. When you say barges, could you define what  
6 you mean by barges?

7 A. Small ships, over 2,000 tons.

8 Q. But these are not towing barges, these  
9 are ships?

10 A. No. These are ships.

11 Q. Lake ships?

12 A. Lake ships.

13 Q. They do not use a pilot?

14 A. Yes, sir.

15 Q. But under certain circumstances some of  
16 these lake ships are charged half tariff?

17 A. Yes.

18 Q. Even though they don't use a pilot?

19 A. Yes, sir.

20 Q. And in what tonnage bracket do these ships  
21 fall?

22 A. I think it is between 2,000 and 2,500.  
23 They have the tariff if they are registered in the British  
24 port.

25 Q. And the ships under that category are  
26 fully exempt?

27 A. Yes, sir.

28 Q. Now this morning it was given in evidence  
29 by one of the witnesses that pilots were on standby for  
30 movages in the Harbour of Quebec. Do you know anything







1 ENGLISH

2 about that?

3 A. I couldn't say that pilots are on standby  
4 for movages. They are home. When they are called and  
5 a movage is required, they do it. We have not a standby  
6 desk for movage.

7 Q. There is no one pilot or there are no  
8 turn pilots set aside particularly for movages within the  
9 harbour?

10 A. No, sir.

11 Q. Just a point I wanted to clear up there  
12 with respect to the figures under the heading, "A" pilots  
13 in Exhibit 589. I think you said earlier that the \$25.00  
14 charge for the class "A" pilot goes into the general  
15 fund. Is that correct?

16 A. Yes, sir.

17 Q. His lordship noted that the comparison of  
18 cost for class "A" pilots and special pilots back in 1959  
19 and 1958 showed a considerable difference and, I think,  
20 concluded from that, and you agreed that the cost of the  
21 class "A" pilot to the ship owner was considerably less  
22 than the cost of the special pilot?

23 A. Yes, sir.

24 -----

25 Q. Is it not true that before, certainly before  
26 1958, and in fact, all during the regime of the special  
27 pilots that no lake ships carried special pilots?

28 A. No lake ships were carry ing special  
29 pilots.

30 Q. Is it not also true most of the lake ships





1 ENGLISH

2 now coming into the District must carry class "A" pilots?

3 A. Yes, most of them have big tonnage.

4 Q. So that in actual fact the captain makes  
5 that comparison as to the costs to the ship owners?

6 A. No, sir.

7 Q. Again, with respect to Exhibit 589, I note  
8 that there is no category here concerning expenses reported  
9 by the pilot other than the meal allowance. Do you have  
10 in your duties as an accountant, do you have anything to  
11 do with the calculation of pilots' expenses?

12 A. No, not at all.

13 Q. Are you informed of the amount by the pilots  
14 which you pass on to the Department in Ottawa?

15 A. No, sir.

16 Q. You have no knowledge of that at all?

17 A. No.

18  
19 CROSS-EXAMINATION BY MR. LALONDE:

20 FRENCH

21 Q. Mr. Lessard, my colleague, Mr. Mahoney,  
22 has asked you questions dealing with the notion of  
23 effective pilots, particularly he has made a comparison  
24 with the time when a pilot who is absent comes back  
25 and he said when the absent pilot comes back and catches  
26 up on his turns the other pilots work less and there is  
27 a balance?

28 A. Yes, sir.

29 Q. Do we not also say the contrary, or the same  
30 thing, I don't know how to say it, I'm saying while a





1 FRENCH

2 pilot is absent the other pilots which remain on duty  
3 work more than they would normally work if the pilot wasn't  
4 absent?

5 A. Yes, sir, this is true.

6 Q. And that consequently the total number  
7 of pilots on would be a more reasonable basis to  
8 appreciate the work which is done than the effective  
9 number of pilots?

10 A. Yes, sir.

11 Q. Thank you. My colleague, Mr. Mahoney  
12 referred you to this change which happened in the tariff  
13 by which in 1960 it became a limited number of tonnage on  
14 which you could impose tariff, from 7,000 to 15,000. I  
15 think you have answered that this would explain in a great  
16 part the increase of income according to tonnage?

17 A. Yes, sir.

18 Q. This happened in 1960, this change?

19 A. I think so.

20 Q. At the end of 1960, or at the beginning  
21 of 1960?

22 A. I can't specify.

23 Q. Would this change appear in the incomes  
24 1960 or 1961?

25 A. I think it is in 1961 because if you  
26 compare the increase from 1959 to 1960 containing the  
27 total -- consider the proportion are more or less  
28 similar and if you compare 1960 to 1961 you see a great  
29 increase which is much greater for the two items.

30 Q. According to you the modification appearing







1 FRENCH

2 in the tariff by increase of the limit wouldn't be  
3 income for 1961?

4 A. Yes, sir.

5 Q. This represents the increase of about  
6 \$33,000, 48 minus 15, 248,000 and 215,000. Now, if you  
7 compare -- this is the only increase in tariff for the  
8 Quebec District?

9 A. Yes, sir.

10 Q. If you compare 1958 with 1959 there has  
11 been no increase in the tariff for that year?

12 A. Perhaps an increase in ships.

13 Q. Increase in ships. Did you not have  
14 159,000 to 211,000, according to the tonnage, which  
15 represents an increase of 52,000 without any change  
16 in the tariff?

17 A. Yes, sir.

18 Q. Wouldn't it be wrong to think that the  
19 great majority of increase according to tonnage in 1958  
20 to 1962 is due only to the fact that the limit in the  
21 tonnage has gone from 7,000 to 15,000? I will ask it  
22 another way: Do you think the increase in income  
23 according to the tonnage between 1958 and 1962 is not  
24 the result, mostly the result of an increase of the  
25 number of tonnage of ships?

26 A. Yes, because on the item of draught tariff  
27 has not changed and there is increase --- it is because  
28 there has been more ships or bigger ships.

29 Q. Yes. This would explain the increase by  
30 \$10,000 between 1961 and 1962?





1 FRENCH

2 A. Yes, sir.

3 THE CHAIRMAN: It appears also under item,  
4 "draught" and the number of trips so that gives you an  
5 idea along these lines.

6 Q. Now, some questions have been asked  
7 concerning the cost of ship owners for the transfer of  
8 special pilots to class "A" pilots. In the first place  
9 as far as you are concerned it doesn't make any difference  
10 to you to know if the ship owner is a foreign ship owner  
11 or a laker?

12 A. Actually it makes no difference.

13 Q. If you talk about cost of pilotage to  
14 ship owners you consider ship owners as a whole?

15 A. Yes, absolutely.

16 Q. You are comparing the cost of special  
17 pilots of around \$60,000 for 1959 and this cost which  
18 has varied from \$11,000 to \$16,000 between 1958 and 1959--  
19 as far as you are concerned all that you know is that if  
20 you connect these two categories of figures you see a  
21 decrease in one case in relation to the other?

22 A. Yes.

23 Q. And you have already explained part of this  
24 decrease is due to the fact that class "A" pilot less  
25 ships than special pilots did before, therefore, as far  
26 as you are concerned, if one takes all costs to ship  
27 owners concerning the transfer of special pilots system to  
28 the class system whether there was an increase to either,  
29 this doesn't make any difference to you, all you say, you  
30 are concerned with the total cost to ship owners?







1 FRENCH

2 A. Yes.

3 Q. You were shown Exhibit 590 which is a  
4 photo copy from you files. Do you know if this document  
5 is sent to the pilots every year?

6 A. No, not to the pilots.

7 Q. To whom do you send it?

8 A. To the Department.

9 Q. To the Department. You were in office in  
10 1959?

11 A Yes, sir.

12 Q. Is it not true that 1959 was an exceptional  
13 year in particular because of the opening of the St.  
14 Lawrence Seaway?

15 A. Perhaps.

16 Q. Is it not true that you had a great number  
17 of ships in that district during that particular year in  
18 comparison to other years?

19 A. There was an increase in relation to 1958.

20 Q. An increase from 6,172 trips in 1958 to  
21 7,291 in 1959. In the figures mentioned at this place,  
22 do you not include income for special pilots?

23 A. For 1960?

24 Q No, on this Exhibit 590?

25 A. There is nothing concerning income for  
26 special pilots.

27 Q. Is it not true in that particular year  
28 pilots have been hired frequently to go to boats out-  
29 side the District such as Bay Comeau. Is it not true that  
30 those who have these exceptional services for outside the





1 FRENCH

2 District were paying very high charges for pilots outside  
3 the District?

4 A. This was paid directly to the pilots.

5 Q. You mean the expenses weren't charged by  
6 your office?

7 A. No, not at all.

8 Q. And the amount mentioned in all these  
9 cases are gross income?

10 A. Yes, sir.

11 Q. And if pilots, for instance, had \$7,000.00,  
12 \$8,000.00 or \$10,000 for expenses it wouldn't appear?

13 A. No.

14 Q. And you can't say what the net income  
15 is if \$10,000.00 is expenses, you would only have \$8,000.00  
16 left if you earned \$18,000.00?

17 A. Of course.

18 Q. You testify to the fact that the work  
19 load in 1959 had been particularly heavy as far as pilots  
20 are concerned?

21 A. 1959, that was a rather heavy season.

22 Q. Is it not true that the pilots had started  
23 the season with 70 pilots and you had to increase the  
24 number to 77 because of the increase of traffic?

25 A. Yes, sir.

26 Q. Is it not true that several pilots died of  
27 heart attacks on ships during that year?

28 A. Perhaps.

29 Q. They died suddenly without any particular  
30 reason, do you remember that?





1 FRENCH

2 A Yes.

3 Q Do you remember the case?

4 A Yes.

5 MR. LALONDE: Thank you.

6  
7 CROSS-EXAMINATION BY MR. MAHONEY:

8  
9 ENGLISH

10 Q My friend, Mr. Lalonde, has drawn your  
11 attention and my attention to the large decrease in  
12 tonnage figures between 1958 and 1959. You explained  
13 the latter increase by the adjustment which was made in  
14 tariff. With relation to this increase, I think you said  
15 in reply to my friend's question that this was a true  
16 increase in tonnage, that is right?

17 A Yes.

18 Q And the reason for the increase in tonnage  
19 was the opening of the St. Lawrence Seaway?

20 A That is right.

21 Q Would you agree a good portion of it  
22 consisted of larger ships?

23 A Yes, sir.

24 Q Which were now coming down the St.  
25 Lawrence Seaway?

26 A Yes, sir.

27 Q Is it not also true that prior to the  
28 opening of the St. Lawrence Seaway, the lake ships had  
29 come down the old Lachine Canal and were to a large  
30 extent exempt from pilotage?







1 ENGLISH

2 A Yes, sir.

3 Q So that the increase in tonnage and the  
4 resulting increase in revenue was due to the large  
5 increase in the number of ships which had formerly been  
6 exempt, is that not so?

7 A Yes.

8 Q Furthermore, in relation to that year of  
9 1959, you said in answer to the question of my friend,  
10 Mr Lalonde, that the number of pilots were increased?

11 A Yes.

12 Q I think that increase was seven pilots,  
13 is that not so?

14 A Yes, sir.

15 Q And that increase and the increase in the  
16 work load which led to the increase in the number of  
17 pilots has been due to the same reason?

18 A Yes, sir.

19 Q One further question, Mr. Lessard, you  
20 said, I think, Exhibit No. 590, the photo-stat?

21 A Yes, sir.

22 Q That document is sent to the Department  
23 but not to the Pilots?

24 A Yes, sir.

25 Q Do you still send that document to the  
26 Department?

27 A No. This document is no more prepared.

28 Q It's no longer prepared?

29 A No, sir.

30 Q It hasn't been prepared since when?





1 ENGLISH

2 A. Since 1959.

3

4 CROSS-EXAMINATION BY MR. BRISSET:

5

6 FRENCH

7 Q. The figures that you have given us,  
8 Mr. Lessard, concerning the average income in 1959  
9 according to Exhibit 590 for this average 100 ships or  
10 between \$14,000.00 and \$18,000.00 does not include  
11 \$57,000.00 paid to special pilots?

12 A. No, sir.

13

14 CROSS-EXAMINATION BY MR. LALONDE:

15

16 Q. Mr. Lessard, is it not true that the  
17 greatest part of tonnage increase which occurred in the  
18 Quebec District between 1958 and 1959 is due to the  
19 arrival of a great number of ocean going vessels who  
20 wanted to go up the St. Lawrence Seaway?

21 A. I can't specify if they were lakers or  
22 ocean going ships, but there has been a definite increase  
23 of ships or tonnage.

24 Q. So you don't know if it is due to lakers  
25 or ocean going ships?

26 A. I don't want to commit myself on the  
27 question.

28 Q. So the answer that you have given to my  
29 colleague saying that this was due to a great number of  
30 lakers who didn't go down the river previously, was,







1 FRENCH

2 perhaps, not one hundred percent correct?

3 A. Yes, it was perhaps not correct. That  
4 was my opinion at that time, but now I think you are  
5 trying to get me to say the opposite.

6 Q. So you really don't know?

7 A. Absolutely not.

8 Q. My colleague has also mentioned the great  
9 increase of lakers going down river which weren't  
10 previously exempted by compulsory pilotage dues. Is it  
11 not true that these ships didn't go down river?

12 A. Yes, that is true because the Seaway wasn't  
13 opened therefore they couldn't come down. Those were  
14 smaller ones.

15 Q. Can you recall in 1959, there were a great  
16 number of war ships going up and down the river?

17 A. Lots of them every year.

18 Q. But you don't remember exactly for 1959?

19 A. I can't say. There was a great deal of  
20 them for the opening of the Seaway. I don't know whether  
21 any other years that there were more or less. I can't  
22 testify to this.

23 Q. You would rather not?

24 A. No.

25 MR. LALONDE: Thank you.

26  
27 CROSS-EXAMINATION BY MR. LANGLOIS:

28  
29 Q. Just one question, Mr. Lessard, you said  
30 Exhibit 590 is not sent to the pilots?





1 FRENCH

2 A. No.

3 Q. Is it sent to the Shipping Federation?

4 A. I think so.

5

6 CROSS-EXAMINATION BY MR. MAHONEY:

7

8 ENGLISH

9 Q. I have one or two further questions:

10 Mr. Lessard, are you not responsible for the sending of  
11 accounts for pilotage to the shipping companies?

12 A. Yes, sir.

13 Q. So that you know the companies to whom  
14 these accounts have been sent, you are generally familiar  
15 with them?

16 A. Yes.

17 Q. Can you tell this, whether there has  
18 been a decided increase in 1959 and 1960 in the number  
19 of accounts sent to lake shipping companies over the  
20 accounts sent in previous years?

21 A. Yes, sir.

22 Q. So you are then in a position to know  
23 that there are lake ships paying pilotage now?

24 A. Yes.

25 Q. That weren't paying pilotage?

26 A. Yes, sir.

27 MR. LALONDE: With your permission, my lord.

28 THE CHAIRMAN: If it is very important.

29 MR. LALONDE: It is important.

30





1 FRENCH

2 A greater number of accounts to the agents  
3 representing ocean ship companies between 1958 and 1959  
4 and 1960?

5 THE WITNESS: It is possible.

6 THE CHAIRMAN: Of course, you have 1,100 ships  
7 more in 1959 so you might have 150 and 160.

8  
9 CROSS-EXAMINATION BY MR. LALONDE:

10

11 Q. I would agree with my colleague on that  
12 figure. You mentioned accounts and you have produced an  
13 exhibit, Mr. Lessard. For 1962 we don't have the results  
14 of the account still pending. Would you have this infor-  
15 mation?

16 A. I think they are about \$1,200.00. I would  
17 have to check.

18 Q. Are these amounts due by the same company?

19 A. By one company.

20 Q. By one company?

21 A. For one ship.

22 Q. You mean that a ship makes several trips  
23 during a year?

24 A. Yes, certainly. I have been informed  
25 last week that no money would be lost.

26 Q. The company informed you?

27 A. Yes, I have been told as soon as the agent  
28 received the money he would pay it.

29 Q. This ship came several times throughout the  
30 season and no attempt has been made to collect the pilotage







1 FRENCH

2 dues?

3 A. Well, outstanding accounts are generally  
4 at the end of the season.

5 Q. There are ten different trips, I notice.

6 A. Five double trips.

7 Q. This account for the long distance.

8 Thank you. My lord, could we have the witness tomorrow  
9 morning. There are some exhibits we should like to look  
10 at closely.

11 MR. JACQUES: We might have the intention of  
12 asking you some things about navigation in the river.

13

14 RE-EXAMINATION BY MR. JACQUES:

15

16 Q. This Exhibit No. 590, did you prepare it?

17 A. Yes, sir.

18 Q. The figures that you gave came from where?

19 A. The pilotage cards which we received at  
20 that time.

21 Q. I see that on Exhibit 590, you have the  
22 exact amount of pilotage dues earned by one pilot in  
23 particular?

24 A. Yes, sir.

25 Q. Did you at the time have a system by which  
26 you filed the cards for one pilot together?

27 A. Yes, sir.

28 Q. Do you still have that system?

29 A. I still have the system, but the card  
30 itself is not worth much because it is usually -- you can't





1 FRENCH

2 read it because it is the fifth carbon copy and it is  
3 very difficult to read.

4 Q. Do you keep the cards for one particular  
5 pilot together?

6 A. Yes.

7 Q. You still do that?

8 A. Yes, sir.

9 Q. So we could ask you to give the total  
10 number of trips or movages done by a pilot and you  
11 could tell us by counting the cards?

12 A. Yes, sir.

13 Q. And these cards include detention -- is  
14 there a special card for detention?

15 A. No.

16 Q. It is the same card?

17 A. Yes, sir.

18 Q. Can you have a detention card without a  
19 trip?

20 A. You can have a detention card without a  
21 trip and you can have on the same trip a pilotage  
22 movage, cancellation, detention, everything.

23 Q. We would have to look at every card one  
24 by one to get the exact amount?

25 A. And count the columns and put different  
26 jobs in different columns.

27 Q. In 1959 according to Exhibit 590, how  
28 many turns were there? I got 38. Would you check that,  
29 if I am correct?

30 A. Thirty-eight.







1 FRENCH

2 Q. The total number of how many pilots?

3 A. Seventy-seven.

4 Q. Thirty-eight and seventy-seven -- if I  
5 am not mistaken it is thirty-nine pilots, so it is half  
6 and half?

7 A. Yes.

8 Q. To the best of your knowledge, has it  
9 always been this proportion, let us say, since 1950 to  
10 1959?

11 A. Special pilots have a tendency to increase.

12 Q. Still with Exhibit 590 can you tell us  
13 how many pilots have been accepted as pilots in that  
14 particular year?

15 A. During the year?

16 Q. During the year, yes.

17 A. Six for that year.

18 Q. Yes??

19 A. And three at the beginning of the year.

20 Q. What month?

21 A. In the month of March.

22 Q. Three pilots in March and the other six,  
23 can you give the date?

24 A. Four on August 18th, one September 10th  
25 and one on November 18th.

26 Q. So the one received on November 18th,  
27 how many trips did he do?

28 A. Seven.

29 Q. August, do you consider that the middle  
30 of the navigation season?





1 FRENCH

2 THE CHAIRMAN: There has only been an increase  
3 of seven pilots during that period.

4 THE WITNESS: I was including the deaths.

5 MR. JACQUES: I was coming to the deaths.

6 THE CHAIRMAN: We will adjourn until tomorrow  
7 morning.

8  
9 ---Whereupon the hearing adjourned until 10:00 o'clock

10 Thursday, July 25th, 1963.

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BINDING SECT.

MAY 2 1972



